



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government, Housing and Planning Committee

Tuesday 25 April 2023

Session 6



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LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE

12th Meeting 2023, Session 6

CONVENER

*Ariane Burgess (Highlands and Islands) (Green)

DEPUTY CONVENER

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

COMMITTEE MEMBERS

Miles Briggs (Lothian) (Con)

*Mark Griffin (Central Scotland) (Lab)

*Ivan McKee (Glasgow Provan) (SNP)

*Marie McNair (Clydebank and Milngavie) (SNP)

*Annie Wells (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Kristen Anderson (Scottish Government)

Simon Cameron (Convention of Scottish Local Authorities)

Andrew Connal (Scottish Government)

Joe FitzPatrick (Minister for Local Government Empowerment and Planning)

Councillor Steven Heddle (Convention of Scottish Local Authorities)

Andy Kinnaird (Scottish Government)

David Milne (Scottish Government)

Carrie Thomson (Scottish Government)

CLERK TO THE COMMITTEE

Euan Donald

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Local Government, Housing and Planning Committee

Tuesday 25 April 2023

Decision on Taking Business in Private

[The Convener opened the meeting at 09:30]

The Convener (Ariane Burgess): Good morning, and welcome to the 12th meeting in 2023 of the Local Government, Housing and Planning Committee. We have received apologies from Miles Briggs. I remind members and witnesses to ensure that their mobile devices are on silent and that all notifications are turned off during the meeting.

Our first agenda item is a decision on whether to take agenda items 4, 5 and 6 in private. Do we agree to do so?

Members indicated agreement.

Subordinate Legislation

Town and Country Planning (Development Planning) (Scotland) Regulations 2023 (SSI 2023/101)

09:30

The Convener: The next agenda item is to take evidence on the Town and Country Planning (Development Planning) (Scotland) Regulations 2023 from Joe FitzPatrick, the Minister for Local Government Empowerment and Planning. He is joined by Scottish Government officials. Kristen Anderson is principal planner, Andy Kinnaird is head of transforming planning and Carrie Thomson is head of development planning and housing. I welcome our witnesses to the meeting, and I invite the minister to make a brief opening statement.

The Minister for Local Government Empowerment and Planning (Joe FitzPatrick): Good morning, everyone. The previous time that I attended a meeting of a committee with a similar remit was as convener of the Local Government and Regeneration Committee in session 4. I note that Mark Griffin was a member of that committee way back in 2011. When I was preparing for this morning's meeting, I felt that it was a little bit soon after my appointment to be facing a double committee session. That said, it is good to be back.

I thank the committee for giving me the opportunity briefly to outline the Scottish Government's approach to the new development planning provisions, which are contained in Scottish statutory instrument 2023/101 and the associated regulations on commencement, savings and transitional arrangements.

Scotland's plan-led system of development is widely supported. As the committee will be aware from its consideration of national planning framework 4, the Scottish Government is strengthening development planning as part of its wider planning reform programme. That includes changes to what constitutes a development plan, the interplay between policies on NPF4 and local development plans, and the process of preparing LDPs with a greater focus on delivery. Together, those changes create opportunities for LDPs to refocus on delivering place-based outcomes.

The broad framework for new-style LDPs and their preparation is set out in the primary legislation—the Planning (Scotland) Act 2019—which made strategic changes to LDPs. The new regulations provide the detail for how the act's requirements should be fulfilled. They were informed by extensive engagement with key

stakeholders, with input from the cross-sectoral development planning working group. That led to public consultation on the main regulations and draft guidance, along with the consultation on the draft NPF4 and a separate one with targeted engagement on the definition of “Gypsies and Travellers”.

Overall, respondents were generally supportive of our proposed approach of producing carefully targeted regulations. More detail will be provided in the fuller associated guidance. I assure the committee that the regulations were finalised while taking into account comments raised through the public consultation. The policy note sets out details of the consultations, including the issues raised, and the regulations now reflect that feedback. Not all the suggestions put forward have been included in the regulations, but we will address the matters raised in them in the guidance.

The connection between the regulations and the guidance is key. We have sought to strike a balance between having a clear statutory framework and clear guidance to support all stakeholders in implementing the new system while giving planning authorities flexibility to implement the statutory procedures in the ways that best suit their places, communities and organisational priorities.

We also intend to identify and share best practice as the new system beds in. I would welcome the opportunity to come back to the committee to talk through the comprehensive guidance once it has been published, if the committee would be interested in that.

The Planning (Scotland) Act 2019 (Commencement No 12 and Saving and Transitional Provisions) Regulations 2023 will commence the various provisions of the 2019 act that will be needed to support the envisaged new system of LDPs. We have also provided for savings and transitional arrangements for plans that started under the current system. From our discussions with stakeholders, we know that planning authorities are eager to get on with their new-style plans. The new regulations will provide a solid foundation for a consistent approach to plan making across the country.

I look forward to answering the committee’s questions, perhaps with a bit more support from my officials than is usual.

The Convener: Thank you very much for that. I am certainly aware of the eagerness in my local authority in this area—some great work has already been initiated on local development plans and community engagement.

You began to touch on this, but I would be interested to hear about it a little more deeply.

How did the Scottish Government consult on the regulations, what significant issues were raised during the consultation, and what changes were made in the light of representations that were received?

Joe FitzPatrick: Obviously, there was extensive work at the start. The cross-sectoral development planning working group was involved from the outset—virtually before we even put pen to paper. Three sub-groups looked at procedures, evidence reports and the gate check, and the scope and content. Each of those produced outputs in February 2021, offering information on their ideas to support the development of the regulations.

The public consultation on the proposed LDP regulations and guidance ran for more than 14 weeks—between December 2021 and the end of March 2022—alongside the consultation on the draft NPF4, which allowed people to have a joined-up understanding. Eighty-seven responses were received from planning authorities, key agencies, and development, property and land management bodies.

Importantly, a separate consultation on the definition of “Gypsies and Travellers” ran between December 2022 and February 2023. That enabled targeted involvement of that community and offered an opportunity to explain the specific matters that were associated with the definition and the specific context in which it was used. There were four in-person consultation events with travelling community members, and 41 responses. That is probably a good example of best practice in how we engage with communities that, sometimes, appear to be more difficult to engage with when it comes to consultation.

You asked about the issues that were raised. Generally, there was broad agreement, I think, with the majority of the proposals. Overall, there seemed to be agreement that the regulations should be kept to a minimum, to support flexibility and the ability to address potential problems that might arise.

We were able to make some changes on a few areas in the draft regulations, but, on balance, many of the issues that were raised will be dealt with in the guidance rather than in the regulations, in accordance with the principle of keeping regulations to a minimum in order to ensure that the legal framework is clear. Most of the other points from the consultation were to do with the guidance, which can be updated in line with best practice.

I ask Kristen Anderson to fill in any bits that I may have missed.

Kristen Anderson (Scottish Government): Those are the main points. I will add a few points of detail about what we covered and updated in

the regulations. For example, some members of the business community wanted to ensure that, at examinations, there is an opportunity for them to comment on any further information that is provided, so we provided for that.

As the minister indicated, we have added the definition of “Gypsies and Travellers”. In the feedback, there was quite a lot of consensus on the changes to that definition that were required, which we have taken on board.

We have also updated some of the information and considerations that planners have to take into account when preparing their local development plan. We have added things about the climate change agenda, such as national and regional marine plans, open space strategies and flood risk management plans.

The Convener: Thanks very much for that. It is good to hear about the additional clarity on the climate change agenda.

How do you expect a planning authority to go about developing an evidence report, and what opportunities will there be for communities and individuals to input to the process?

Joe FitzPatrick: The evidence report is important in ensuring robust and evidence-led plan making. It should provide a summary of what the evidence means for plan making. The aim is to front-load that work.

Sorry, what were you asking about the process?

The Convener: I was asking about how the authority would go about developing it, and then about the opportunities for communities and individuals to input.

Joe FitzPatrick: It is crucial that community involvement is front-loaded—that the community is involved at the earliest opportunity.

I ask Kristen Anderson to help me.

Kristen Anderson: The act sets out the different groups that the planning authority has to engage as it prepares its evidence report. Those cover a wide cross-section of people, including “the key agencies” and

“children and young people, in particular school pupils, youth councillors and youth parliament representatives”.

It also includes “the public at large”, which is quite a large catch-all category that covers most groups.

Planning authorities must also include in the evidence report a statement about how they have engaged with disabled people, Gypsies and Travellers—we spoke about those earlier—and community councils. We therefore think that we have captured a wide range of engagement.

The focus is on early and collaborative engagement to inform the level of sufficiency of that evidence, rather than just the more formal responding to a report. It is about a more embracive and holistic approach to engagement.

The Convener: Is it pretty much up to the planning authority to decide how it goes about engaging with young people or any of the groups that you have identified?

Kristen Anderson: Yes, when it comes to the methods that it uses. However, we will bring forward separate statutory guidance, which will be published fairly shortly, on effective community engagement in development plans.

Joe FitzPatrick: The evidence report, which has to be produced, is the key to making sure that that engagement is appropriate for the local place and the local community; that might not be the same everywhere.

Annie Wells (Glasgow) (Con): Good morning. To follow on from Ariane Burgess’s question, minister, why has the Scottish Government chosen not to establish minimum evidence and consultation requirements for evidence reports?

Joe FitzPatrick: A big concern would be that, if we had laid out in the regulations minimum requirements for evidence and consultation, that could be seen as the bar or as a tick-box exercise. Our approach is about having a system that can adapt. The guidance will be crucial to that. If we set such minimum requirements, there is a danger that people would aim for those, tick the box and move on to the next thing.

I hope that folk who engage will see it in that way. Crucially, because so much will be in the guidance, it will be easier for us to adapt it. The guidance will be a living document—it will not be edition 1 followed by edition 2—so it will support everyone to engage in the way that we expect.

Annie Wells: Will that continue to be monitored throughout, and will you come back to the committee with anything that changes?

Joe FitzPatrick: The guidance will be a living document, but I will be happy to speak to the committee when it is published and whenever the committee feels that there has been a significant change that it wants to discuss further.

Annie Wells: Perfect. Thanks, minister.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning to you, Joe. For the benefit of the committee and anybody who is watching, will you say a wee bit more about the gate-checking exercise? What is it? Is it a series of tests that need to be applied to verify, almost, that the LDP is compliant across a broad range of issues? That is my estimate. Broadly, what is it,

and will it be the same in every local authority, or do the local authorities get to define it themselves?

Joe FitzPatrick: The “gate check” is what we term the assessment of the evidence report. Obviously, that is a new process. It will provide an independent assessment of whether the planning authority has sufficient information for the preparation of an LDP. The gate check will be carried out by a person who has been appointed by the Scottish ministers—usually, a reporter from the planning and environmental appeals division. It is a new and independent process.

I ask Kristen Anderson to add a little more about it.

09:45

Kristen Anderson: As the minister has outlined, it will be for the reporter to consider whether there is sufficient information in the evidence report, which compiles the different types of evidence, to allow the authority to progress to the next stage of preparing its plan. The evidence report is, almost, the baseline information. It deals with whether there is enough information on what to plan for. The proposed plan then sets out where things go.

Willie Coffey: Does the reporter issue guidelines about what should be in the evidence report, or can local authorities determine the context and make-up of the report?

Kristen Anderson: The reporter will decide the procedure and provide the evidence report. In the guidance, we will set out some templates of what the evidence report should look like. It is then up to the reporter as to whether they invite further written or oral procedures to assess that information.

Willie Coffey: Do you envisage any resource implications in that process? Do you anticipate any additional resource requirements to ensure that the process is smooth?

Kristen Anderson: We have been in discussions with our colleagues in the planning and environmental appeals division, who have been aware of and preparing for those changes and that new stage since the legislation was passed in 2019. They have been getting ready for that. In addition, they are reaching out to planning authorities across the country—in particular, to those that will be the early pioneers—to get them ready. That will include the logistics of presenting the information and uploading it to their data servers. They will make sure that they have those conversations early.

Joe FitzPatrick: We expect planning authorities to develop the plans over a period of about five years. Those will not all come at once. Six

authorities are ahead of the game, I think. It should be phased over time.

Willie Coffey: Thanks for that. Another query, minister, is about the online map-based provision for the plans. Certainly, I am aware of the capability of East Ayrshire Council’s planning department in online mapping systems. Is that broadly available across Scotland? Are you aware of any technical resource requirements or issues for authorities in the implementation of those systems?

Joe FitzPatrick: We are working with the high-level group to look at the range of skills that are required for the new plans. That is to ensure that we have performance improvement and the necessary reform to support that cross-sectoral approach to the range of skills, including mapping skills, that is needed, and to determine whether additional resource is needed.

Was there anything specific about the mapping that you want to know about? I see that Andy Kinnaird wants to come in.

Andy Kinnaird (Scottish Government): Another crucial element of the overall wider planning reform programme is our work on the digital transformation of the planning system and of services. One key element of that is how we can better use reliable, open-access data and map that round the country, so that authorities and those who may be looking to invest in development will have access to the same mapped-out information.

Willie Coffey: That is not available across the board at the moment, though.

Andy Kinnaird: Not yet. We are actively working on it.

Willie Coffey: Do we help to support and fund the local authorities that need to invest in that, or do we expect them to make that investment?

Andy Kinnaird: Our digital programme is a six-year, £35 million investment by the Scottish Government, working with authorities and wider stakeholders.

Willie Coffey: Excellent.

Minister, I again highlight that the system that I have seen at East Ayrshire Council is really good, and the local people really engage with it.

Joe FitzPatrick: I am sure that somebody from East Ayrshire has heard your comment and that an invite to chat with them will be on its way to you.

Willie Coffey: Many thanks for the answers to those questions, minister.

The Convener: I have a couple of supplementary questions. In answer to the previous question, you mentioned that some local authorities are already ahead in the process. Can you tell us which ones?

Joe FitzPatrick: Kristen?

The Convener: You can write to us and let us know.

Joe FitzPatrick: Maybe we are better to write.

Kristen Anderson: They include Loch Lomond and the Trossachs National Park Authority and, I think, Midlothian Council and Fife Council. We are only just having those conversations. The Improvement Service is providing us with data on the timelines of all the local authorities, but we expect that some may overtake others. Some are eager to learn from Fife Council and the others early doors.

The Convener: My other question is about mapping. What level of detail—what types of information—would we get from the mapping system?

Andy Kinnaird: It is about looking at lots of different layers of different types of information. That can be around what development plans are already allocating for land, or it can be where there are designations, such as environmental designations of bits of vacant and derelict land. That is all data that can be map based and sit in those layers.

The Convener: If, at some point, we want to set up a cadastral system, is the system robust enough to go to that level?

Andy Kinnaird: That is certainly the thinking at the moment. The work is in the early days of scoping out exactly what it will do and what its shape will be, but we see it as a platform in which development plans, including the national planning framework, can sit in the future.

The Convener: That is great—it is good to hear that it can grow arms and legs and be very useful, because the mapping of Scotland has clearly been an issue.

Joe FitzPatrick: Most of the significant changes were brought in by the 2019 act rather than being brought in through these regulations, and that is why work is on-going.

The Convener: We turn to questions from Ivan McKee.

Ivan McKee (Glasgow Provan) (SNP): My questions are around the requirement for planning authorities to notify owners and occupiers of land about neighbouring development sites that are identified in a proposed plan, where that proposal might have a significant impact on their land. What

consideration have you given to the resource implications of that requirement? Is there any thinking about additional resources being made available to support that?

Joe FitzPatrick: We are generally comfortable that the majority of the changes are not being made by the regulations; the majority of the changes were made by the Planning (Scotland) Act 2019, which is already in place. As I said, we have tried to keep the regulations to a minimum.

Andy Kinnaird: That requirement—in relation to the arrangements for preparing local development plans—is already in the existing system. It is not new in the regulations.

Marie McNair (Clydebank and Milngavie) (SNP): Can you explain how you decided on the list of key agencies to be consulted by the planning authority when drafting the LDP? Are there not some obvious omissions, such as Network Rail and VisitScotland?

Joe FitzPatrick: The key agencies are the same key agencies that were in the 2008 regulations. There are some changes, because some of the organisations have changed their names; for instance, Scottish Natural Heritage is now NatureScot. There are also a couple of new agencies; for instance, South of Scotland Enterprise effectively has the same role as Highlands and Islands Enterprise, although they have different geographies. Those are the main changes but, largely, the list is based on the list in the 2008 regulations.

With regard to which agencies are key and which are not, some of the agencies that might make sense as key agencies, such as Transport Scotland and Marine Scotland, are agencies of the Scottish Government, so the legislation does not allow them to be key agencies—although it is absolutely important that they are engaged. Guidance will make it clear that some of those big organisations should still be connected.

You mentioned Network Rail and VisitScotland. Obviously, Network Rail is part of the UK Government, but the regional transport partnerships are in the list. I think that VisitScotland is probably in a similar place to the other groups that I mentioned.

Marie McNair: Thank you for that clarification.

Mark Griffin (Central Scotland) (Lab): Are you able to set out how the Government feels that local planning authorities should balance the policies and proposals that they consult on and develop locally with potential competing interests or clashes with NPF4? How do you expect planning authorities to resolve those issues? You talked about the guidance that you plan to release

to supplement NPF4. When might that be released?

Joe FitzPatrick: NPF4 sits alongside LDPs, and the 2019 act sets out the requirement for planning authorities to take into account NPF4 when preparing their LDPs. It is a bit different from how it was in the past, when you would expect the national planning framework to virtually be replicated in local plans. However, that is no longer necessary because they sit alongside each other, which is a more sensible way of working.

You are right: the guidance is crucial. Andy, do we have an expectation for when it will be published?

Andy Kinnaird: Yes, we expect it shortly after the regulations come into force. We are talking about days; it is coming very soon—certainly during May.

Joe FitzPatrick: So it will be soon.

The Convener: I do not know whether this is the right place to ask this question, but I will do so. We have NPF4, local development plans and, my favourite topic, local place plans—I see Andy Kinnaird smiling, because he knows that I often bring them up. One of my concerns is about local development plans, which you have said might take five years to create—that is an interesting and useful bit of information. A community might not have wanted to create a local place plan or get on board with its local development plan. If people just put in place a done-and-dusted local development plan and say, “Here it is,” how could that be opened up at a later stage, to give space for community expression to be honoured and respected through a local place plan?

Joe FitzPatrick: The regulations that we are putting in place are all about trying to ensure that we get community engagement. It is appropriate that we have different layers, but it is all about trying to get engagement at the earliest possible time. Perhaps Andy Kinnaird will add more on the specifics of interfacing with place.

Andy Kinnaird: The provisions around local place plans are intentionally light touch so that we do not brigade local communities into doing something by a particular time. Therefore, they can bring forward a local place plan at any time in the life cycle of the LDP.

As well as the work on the regulations, we will start work shortly on regulations that will be required to provide for making amendments to local development plans within their 10-year cycle. It is just an end process so that amendments can be made. The regulations will provide opportunities for authorities to make amendments to their LDPs if they want to take forward proposals from local place plans.

The Convener: I look forward to seeing those regulations.

I think that that is it. Thank you for your evidence; it was very helpful, and I think that we got some useful bits of information. The minister will stay with us for our next evidence session, as he said at the beginning of the meeting. I suspend for five minutes to allow for a changeover of supporting officials.

09:57

Meeting suspended.

10:02

On resuming—

Community Planning Inquiry (Post-legislative Scrutiny of the Community Empowerment (Scotland) Act 2015)

The Convener: The next item on our agenda is to take evidence on the community planning inquiry. This is the final evidence session before we reflect on all the evidence that we have heard in recent months and consider what conclusions we might draw from it. A final report will then go from the committee to the Scottish Government.

We are joined for this session by Joe FitzPatrick, Minister for Local Government Empowerment and Planning. Mr FitzPatrick is joined by Scottish Government officials Andrew Connal and David Milne, who are both team leaders in public service reform and community planning.

We are joined online by Councillor Steven Heddle, who is vice-president of the Convention of Scottish Local Authorities. Councillor Heddle is joined, also online, by Simon Cameron, chief officer, and Lucy Devlin, policy assistant, of the workforce and corporate policy team of COSLA. I welcome all our witnesses this morning.

We will try to direct our questions to a specific witness where possible, but if you would like to come in, please indicate so to the clerks. Councillor Heddle, you can do that by typing R into the chat function, and then we will bring you in. There is no need for witnesses to manually turn their microphones on and off, as we will be doing that automatically for them.

I invite the minister to make a brief opening statement.

Joe FitzPatrick: Thanks very much, convener. I am grateful to the committee for the opportunity to discuss community planning as part of its on-going post-legislative scrutiny of the Community Empowerment (Scotland) Act 2015. As you are aware, part 2 of the act introduces reforms to community planning and provides a statutory purpose for public sector bodies to work together and with communities to improve outcomes and reduce inequalities.

The Government is committed to community planning. It enables genuine partnership working and provides an ideal platform through which to address the deep-rooted and complex social, economic and environmental challenges that affect communities across Scotland. As a result, the place-based actions that community planning

partnerships take on local priorities also support important public service reform ambitions for the Scottish Government nationally, such as the eradication of child poverty, economic transformation, a just transition to net zero and tackling health inequalities.

The Scottish Government is conducting an informal review of part 2 of the Community Empowerment (Scotland) Act 2015, which covers community planning. The review builds on practical learning and engagement with partners, including the community planning improvement board, to ensure that community planning is as effective as it can be.

I know that the committee has heard evidence from a range of witnesses, all of whom have valuable experience of community planning. I note that there have been successful examples of community planning in practice since the act was passed and that there is also potential for continued improvement in how community planning operates in practice. The committee's findings and recommendations will inform our review and help us to further improve community planning so that it supports our ambition to enhance partnership working and to improve outcomes for communities across Scotland.

I look forward to receiving the committee's report and engaging with members on how to ensure that community planning continues helping to improve outcomes for communities across Scotland.

The Convener: Thank you. I invite Councillor Heddle to make a brief opening statement.

Councillor Steven Heddle (Convention of Scottish Local Authorities): Thank you for the invitation to give evidence alongside Mr FitzPatrick today.

I welcome Mr FitzPatrick's opening remarks, which show that local government and the Scottish Government are on the same page on this matter. I reiterate local government's commitment to community planning. The aspirations that were expressed by Campbell Christie remain as valid as ever. We endorsed those aspirations at the time of his review and remain committed to carrying them out, particularly in the areas of prevention and early intervention.

The evidence gathered and the findings to date show that there is still some distance to go. COSLA recognises and supports those findings, although I was personally slightly surprised by the findings in respect of third sector interfaces, because I feel that there is a very good working relationship with the voluntary sector in my area. The evidence shows the progress that we can make nationally by learning from each other.

The findings to date underline the need to enable commitment and contribution, particularly from partners in national agencies or bodies under national direction so that they can be responsive and flexible at the local level. COSLA hopes that our evidence today will emphasise the importance of the participation of and engagement with all partners and will highlight the need to situate community planning within the broader public service reform work that Mr FitzPatrick referred to. That work includes the local governance review.

We very much believe that fully empowering local partners to work meaningfully together and reducing barriers to collaborative working will help us to achieve better outcomes, both locally and nationally, and to respond to the place-based issues that have been highlighted.

It is clear that our objective must be to have better services and better local decision making, not just to cut costs to balance national budgets. This is a place-based initiative, and community planning must do what it says on the tin.

The Convener: I will open with a number of questions about culture change before we move to the other themes that have been explored in our evidence session so far.

Back in 2015, community planning was seen as being central to public service reform in tackling inequalities and aiding prevention, as you have both articulated. The committee has heard that the picture on the ground is very variable, as you have both said. I am interested in your sense of the impact that community planning has had. Perhaps the minister could answer first.

Joe FitzPatrick: Public service reform—in particular, how we deliver effective and efficient public services—has to be supported by effective community planning. That work is key to achieving the cost-cutting policy missions, including tackling inequalities and aiding prevention, that have been set out by the Scottish Government. The critical message, which is one of the three priorities for the Scottish Government from the recent budget, is that public services remain sustainable and well placed to improve outcomes and reduce inequalities. We are reinforcing that in our engagement with public bodies, including many of the statutory community planning partners, and we are emphasising that they need to pursue opportunities to do that, both alone and in collaboration.

You mentioned that there is a degree of variability. Given the nature of public service reform, you would expect there to be variability, but it is obviously the Government's role to ensure that public bodies act and that implementation on the ground remains fit for purpose. That is why the then Minister for Public Finance, Planning and

Community Wealth announced the review that we are taking forward and why I welcome the work of this committee.

The Convener: Councillor Heddle, do you want to come in on that?

Councillor Heddle: It is important to say that variation is, in itself, not a bad thing. We would always resist the idea of branding local variation as a postcode lottery. That point is often missed. All sorts of choices are made due to local need and the availability of local finance. Therefore, as Mr FitzPatrick said, variation is to be expected.

We absolutely want to improve the situation. In relation to culture change for statutory partners, the 2015 act places new responsibilities for participation on the bodies, but we need to go beyond that. As I said, we need to enable national agents to free up local officers so that they can participate more fully locally. That is perhaps a shortcoming that could easily be overcome. That would certainly improve local collaborative working, with partners participating rather than just attending, which is sometimes the case, as, I think, has been shown in the evidence that has been given so far.

That situation is perhaps understandable. We have to ask ourselves what the key priorities for our partners are. Are they those of the community planning partnership in the place, or are they the targets that have been set by employers and by ministers? We need to be able to better balance both, with a bias or a shift towards the priorities of the community planning partnership and the place. We have the opportunity to do that through the work that is being done here and the local governance review. Indeed, I think that the work that will be taken forward on community wealth building will also be relevant.

The Convener: You have set me up very well for my next question. I think that I am starting to understand community wealth building. The committee will consider that bill at some point. As my understanding of the subject has deepened, I have started to see that a good part of community wealth building could be delivered through community planning partnerships. Therefore, I am interested in what you think the role of CCPs will be in community wealth building, as well as in relation to Covid recovery, which has been talked about in our evidence sessions, and the new deal for local government.

Given that you mentioned the words “community wealth building”, I will start with you, Councillor Heddle.

Councillor Heddle: I must be more careful in the words that I use. I should also say that I have a sore throat today, so I do not really want to hear the sound of my own voice.

Community wealth building is a very exciting thing to take forward. It is being led primarily, I guess, by our colleagues in Ayrshire, who have done a lot of work on it, so we are looking to them as exemplars of what we can achieve in that respect. Community wealth building is clearly also tied in with participatory budgeting, although I hope that that does not lead to a question for me on participatory budgeting, too.

Citizen participation has been set, and the participation of partners is key, as is retaining wealth locally. The way to do that is to make sure that all local actors are involved. Community planning partnerships serve as an important forum to keep everybody in the loop. The value of that is that people can respond, which goes back to the need to empower our agencies and partners, as well as local government, to respond to local priorities. That is key.

I am starting to lose my thread. Can you remind me of your question, in case I am not answering it?

10:15

The Convener: You are doing a fine job. My question was about the role of CPPs. In relation to the proposed community wealth building bill, you talked about the importance of CPPs as a forum that can keep everyone in the loop. I imagine that there is also an incredible opportunity, in Orkney or elsewhere, to work with partners to identify local procurement, for example. That would enable those agencies to manage procurement locally, which I am starting to get really excited about.

Councillor Heddle: Absolutely. That can go beyond “vanilla” procurement to collaborative work to support supported employment and other such initiatives. We have had discussions about that in Orkney, where I am also a member of the health board, so we share experiences that relate to supporting employers.

I will stop there, if that is okay.

The Convener: That is fine.

I will come to the minister. I have focused on community wealth building, because that is my passion at the moment, but I have a general question about the role you see CPPs having in the proposed community wealth building bill, as well as in relation to Covid recovery and the new deal for local government.

Joe FitzPatrick: Community planning will continue to have an important role in supporting a range of priorities, such as Covid recovery, promoting population health and tackling health inequalities. However, as has been mentioned, there will increasingly be a role for community wealth building, particularly in relation to economic

development in our communities. That work is being led by the Minister for Community Wealth and Public Finance, so I will ask David Milne to comment on that and indulge your passion.

There is also an increasing role for climate action to support community-led place-based approaches. That is an exciting opportunity and, if we get that right, there will be huge benefits.

We are continuing our discussions with COSLA, the community planning improvement board and other partners to support improvements to community planning in the context of the new deal for local government and the local governance review.

David Milne, do you want to indulge the convener?

David Milne (Scottish Government): Sure. Community wealth building is a tool that feeds into other local priorities. Public sector bodies have a role as employers, as procurers and as owners and operators of estates and assets, and we can look at how they are used to best support economic development and improvement, as well as to address the social and environmental challenges that local areas face.

The work on the proposed community wealth building bill is built on some good experience, much of which is drawn from community planning partnerships, including in North Ayrshire. Collaborative work has also been incorporated into some local outcomes improvement plans in Midlothian and Dundee, for example. In addition, some public sector bodies—notably, national health service boards—are developing their own rules as anchor organisations, because they recognise that how they undertake their work is as important as the work that they do.

I will make some brief comments about Covid recovery, which might reflect the convener's initial question about culture. We witnessed some dynamic working in CPPs during the pandemic and subsequently. Most CPPs, following a review, have either updated or are in the process of updating their local outcomes improvement plans to reflect the changing reality of Covid recovery and, increasingly, the current cost of living crisis. There are therefore different manifestations, but the focus is always on the same underpinning issue, which is that some communities in Scotland have, for decades, been most disadvantaged. They suffered most through the pandemic and are suffering most through the cost of living crisis. That is an area in which partners can make a difference by working together on community planning.

The Convener: It is good to hear that about community wealth building. My sense is that there is a buzz in Scotland and that people are already

pushing the process as they are eager to get on with a tremendous opportunity. It is also great to hear about the work following our experience during the pandemic. You talked about dynamic working, and it is great to hear that that experience has fed into changes and adaptations.

Councillor Heddle, I believe that you want to come back in. After that, we will move on to the next theme.

Councillor Heddle: Thank you for your indulgence, convener. I remembered that I had not responded to the Covid recovery point.

The pandemic was obviously an example of how local authorities in their own right and community planning partnerships can respond to a crisis effectively and at pace. We have to recognise that the Covid pandemic and the funding that followed it placed us in an unusual situation in which the availability of resources was not so much of an issue. It was a challenge for us to spend the resources that we had effectively and quickly, but councils and CPPs rose to that challenge. I am sure that all that will be audited, and I remain confident that councils will be shown to have responded effectively and economically.

We should bear it in mind that rapid response is the principle that community planning partnerships can bring to the fore, given that they bring together various groups. As David Milne said, in the context of the pandemic, we have updated our priorities, but we have also put on to community planning partnerships other members who can offer advice and relevant information. In particular, business partnerships have come on to CPPs to maintain the viability of our local businesses.

In general, the previous examples have been around youth unemployment. That was a priority that brought local authorities, Jobcentre Plus and the third sector together effectively to make concrete inroads into the field of youth unemployment. That is simply an example of how community planning partnerships can work together effectively and quickly.

The Convener: I said that we would move on, but I now have another question. You have both talked about the importance and effectiveness of community planning partnerships up to now and going forward. I am interested to hear your views on the funding of CPPs. Is the current approach to funding effective?

Joe FitzPatrick: There are some good examples of partners aligning resources, notably staff and premises, and moving towards having a shared purpose so that they can achieve more collectively than they would when working separately. The important point about funding is that partners should use their collective resources in whatever way best enables them to deliver on

local priorities, in line with their organisations' roles and responsibilities.

I have heard the arguments that partners should allocate funds towards a pot of money that CPPs control. I am interested in learning more about the benefits and risks of that approach. That is one of the things that the committee has been looking at.

Recommendations are also coming out of the community planning improvement board, and I look forward to discussing those with the CPIB chair. I have not yet discussed them.

The Convener: Do we still have Councillor Heddle? Does anyone else want to pick that up?

Councillor Heddle is back.

Councillor Heddle: [*Inaudible.*]

The Convener: You are on mute at the moment. We will get your microphone on for you.

Councillor Heddle: I apologise. My connection went out. Did I miss a question?

The Convener: The question was about funding. Did you hear it or do you want me to ask it again?

Councillor Heddle: I heard your initial question. Funding is an issue. At present, resourcing of community planning partnerships is done primarily by local authorities. Dedicated staff perform the clerking role. We do the bulk of the work in preparing the local outcomes improvement plan, but we really could do with more buy-in from our partners. It is difficult enough, at present, to resource our staff who work on the joint LOIPs.

I made the point about identifying partners' key priorities and how invested they are in the community planning partnerships. They do not have a statutory financial investment, but there is an expectation that they will contribute. Although I do not want to be directive of our partners, the expectation could move a bit more towards realising a contribution to the running of the partnership—

The Convener: Councillor Heddle has dropped out again. I think that we got the bulk of his response, which was very helpful.

I move on to tackling inequalities, on which Annie Wells is leading.

Annie Wells: Good morning, panel. We know that participation and engagement are hugely important when it comes to community planning. What more should be done to ensure that marginalised communities, including communities of interest, have a voice in the community planning process in every local authority area? We know that that differs among local authority areas, and

even between areas within a local authority. What is your take on that, minister?

Joe FitzPatrick: As you said, community engagement is really important for community planning, given its focus on improving outcomes and reducing inequalities. Engagement at personal or family level is especially important for households that experience disadvantage, in order that we can understand what matters to those households, so that suitable responses can be shaped around that.

However, direct engagement—using the usual methods—might not always be appropriate, so we need to look at different ways of ensuring that people have the opportunity to have their voices heard on the issues that matter to them, and that they feel confident that their views have been heard.

It has been interesting to hear about examples of CPPs engaging with people in less formal settings, in which they are likely already to be: for example, the North Lanarkshire CPP's engagement in schools and health centres and the East Ayrshire CPP's hosting of an annual joint session with its children and young people's cabinet and local members of the Scottish Youth Parliament. We need to look at how we can do more of that and share such best practice.

What is done will vary because communities are, by their very nature, different and places are different. However, it is good to see examples of CPPs reaching out. The concern, however, is that they are just hearing from the same folk as ever and not from the people who are most impacted by the plans that they intend to take forward.

Annie Wells: We have been hearing that as well. Does Councillor Heddle have anything to add to that from his local point of view?

Councillor Heddle: I agree with the minister's reflections. It is true that we can probably do more to reach out to marginalised communities and communities of interest and that we should do so. I do not think that it would be a bad thing if we were to set out, as part of our LOIP, a plan for how we would do that, or how we might do more in that regard.

10:30

The ability to involve our partners and reach out is a powerful tool of the community planning partnership. In Orkney we do a lot of engagement using the voluntary sector. Voluntary Action Orkney often leads on community engagement for us, and it has conducted exercises in each of our ferry-linked islands. Even within Orkney, there are issues of insularity, and there is double insularity with respect to the Mainland, where I live. The

islands are among our localities, so we are obviously obliged to reach out to them and to reflect their opinions. Therefore, I agree that we can do more, and the CPP is the vehicle to do so, along with our partners.

Annie Wells: Thank you.

The Convener: We will move on to our next theme, which is community empowerment. Mark Griffin is leading on that.

Mark Griffin: It has been eight years since the Community Empowerment (Scotland) 2015 Act was passed. Can the minister and Councillor Heddle point to any evidence that shows that communities are more empowered now than they were back when the act was passed? I will go to the minister first.

Joe FitzPatrick: The purpose of the 2015 act was to empower communities, so it is reasonable to ask for examples. I will highlight three areas. The first is participation requests, which help people to start a dialogue about the issues that matter in their communities. They allow people to have their voices heard in policy and service development through contributions to decision-making processes, and to challenge decisions and seek support for alternatives, which improves outcomes.

Since 2017, 75 participation requests have been made, which includes community participation and outcome improvement processes for issues such as pier safety, local road improvements, the future of local police offices and improvements to community halls.

The second area to consider is the asset transfer provisions, which is designed to encourage and support ownership and control of assets by communities. Since it came into force on 23 January 2017, 203 asset transfers have been agreed and there are more in progress. They include parks, woodlands, sports and recreational facilities and community hubs. Asset transfer helps to reduce inequalities by ensuring that all communities can be in control of their outcomes and environments.

The final area, which Councillor Heddle mentioned briefly—I might be teeing this up for him—is participatory budgeting, which is a tool for community empowerment that enables local people to have a direct say in how public money is spent. There has been an impressive scaling up of participatory budgeting in Scotland over the past few years, with more than 200,000 people being involved in deciding how money has been spent in their communities.

Those are three areas in which we can see real involvement, which shows why it is so important that we keep doing the work to encourage more

involvement by and empowerment of communities.

Mark Griffin: Thanks, minister.

Councillor Heddle, do you have anything to add? Are you able to point to anything that shows that the nation is more empowered than it was when the 2015 act was passed?

Councillor Heddle: Being honest, I will say that think that we can do more, and can expect more, with regard to travelling towards meeting the aspirations of the 2015 act and what Campbell Christie envisaged. We would like to see partnerships being more empowered in order that we can empower our places more. We would like to make more progress in the early intervention and prevention agendas, which are key to the fundamental success of the community planning partnerships, as they were originally envisaged.

On the provisions of the 2015 act, one thing that has surprised me is that not as many community asset transfers have happened as might have been expected. In my area, what we have found in relation to asset transfers is that community organisations are quite happy for the local authority to maintain ownership of an asset and to look after it, rather than the burden of responsibility being passed to the community. That has prevented asset transfers from taking off to the extent that we expected. A review of the situation might be helpful in finding out why the laudable aspiration to have asset transfers has not been realised as often as was envisaged.

Mark Griffin: My experience is that, quite often, asset transfers happen almost as a last resort, when there is a proposal to close a facility and the local community does not want to lose it. Your comment is helpful.

Are we doing enough to build capacity in communities and to support them to get involved in decision making? How are we supporting existing infrastructure, and what role do community councils have in community planning? I ask Councillor Heddle to respond first.

Councillor Heddle: Building of capacity is important. That touches on local place plans and how they fit into the landscape. In planning terms, we are absolutely clear that we must ensure that local place plans are a tool not just for wealthy and well-resourced communities, but are for communities that perhaps do not have the organisational capacity and resources to put such things together. That has long been a concern within local government. That cascades into the wider community planning agenda and the question how we empower communities.

At present, absence of resource is the issue. We can give communities a voice through

consultation, but how do we support them to make informed decisions and to produce plans to take forward things such as asset transfers? I am sorry to say that it comes back to the underresourcing of local government and the fact that we are £1 billion short of where we would like to be. If we had that money, we could do more for our marginalised communities and support them to make full use of the tools that are available to them.

Mark Griffin: Minister, do you have anything to add to that?

Joe FitzPatrick: We have to acknowledge that we need to continue to invest in building capacity, because that is never going to be a done deal. One of the ways in which the Scottish Government does that is by funding the Scottish Community Development Centre which, in turn, funds community-based groups to engage with participation requests.

You asked about community councils. They are one of many community bodies that are listed in the statutory guidance, and CPPs should engage with them constructively.

David Milne might want to add something.

David Milne: One thing to add is the importance of community engagement and empowerment being very much a relationship-building approach. The process does not just involve engagement exercises; it is about public services building long-term relationships with communities, which provides a platform from which communities can understand what they are capable of doing themselves and how they can fulfil their aspirations and build capacity to do that.

As the minister said, the support for SCDC provides assistance for community bodies in that respect. Also, reviews of parts of the Community Empowerment (Scotland) Act 2015—particularly part 3 and part 5, on participation requests and asset transfers—get into that space.

The Convener: Councillor Heddle wants to come back in briefly.

Councillor Heddle: The point about community councils is well made; they are an important layer of our democracy. It is important that the community planning partnerships consult community councils, but the community councils themselves need to be empowered, as well. I know that there are issues across Scotland with getting people to participate in community councils—[Inaudible].

The Convener: It is unfortunate that we have lost the connection. It would be good to have heard about that.

We had better move on. Have we lost everybody now? No. Good.

I thank Mark Griffin for his question. We move on to the third sector and communities, with questions from Ivan McKee.

Ivan McKee: Before I start on that, I have a brief supplementary to Mark Griffin's question on evidence. The minister went through a number of examples of work. However, the 2015 Scottish household survey showed that 24 per cent of people in Scotland felt that they could influence decisions affecting their local areas, but in the 2019 survey that had dropped to 18 per cent. I believe that that is also reflected in our worsening performance on the community empowerment indicator on social capital in the national performance framework. That hard evidence suggests that things have got worse rather than better, so I would like to hear the minister's reflections on that. Is that on the radar, and does it drive the approach to understanding whether or not we are making progress?

Joe FitzPatrick: The previous question was about examples since the 2015 act was passed, so I gave three examples. However, it is absolutely appropriate that we look at that. It is why the previous minister asked for a review, and why I welcome the work of the committee. The fact is that the more local engagement we have and the more communities are involved in decision making, the better will be the decisions that we will make. We absolutely recognise that, which is why I welcome the work that the committee is doing.

Ivan McKee: Thank you for that.

I want to touch on two areas. The first is the third sector. I am new to the committee, so I have had a look back through *Official Reports*. To pick up on the work that Paul McLennan was investigating, it is fair to say that community anchor organisations and third sector development trusts have expressed quite a number of frustrations about community planning.

I know from my experience in Glasgow that the community planning partnership there, although it has the word "community" in its title, is very far from communities. In fact, there are two layers below it, at sectoral level and area partnership level, before we get to anything that we would fairly describe as engaging with a community. I suppose the question is what can be done to ensure that the frustrations of third sector organisations—anchor organisations and development trusts—are allayed, and that they have more input to the work of CPPs.

It was interesting to hear Councillor Heddle's comments on Orkney, which is a community of 20,000 people. That is very different from a community of 650,000 people. Perhaps there is a

structural issue that prevents CPPs from doing the job that they should be doing and getting close to what happens on the ground.

Joe FitzPatrick: The statutory guidance is clear in relation to third sector organisations and third sector interfaces. The third sector has an important role to play in community planning—not only at strategic level, around the board table, but in the engagement that we talked about earlier. Sometimes it will be a third sector organisation that can engage with the particular communities for which we are trying to make change, so it is really important that the third sector is part of the picture and is helping to build capacity, skills and confidence within communities, and supporting general community empowerment activity.

There are a lot of reasons why the third sector should be involved. I guess your question is about whether there is something in the current structures that is preventing that. I argue that that is not the case, because there are some really good examples in which the third sector has been able to be engaged. Examples that I have in front of me include Perth and Kinross Association of Voluntary Services co-chairing the CPP—it is not a statutory member, but is, however, co-chair; Engage Renfrewshire chairing the CPP Renfrewshire forum for empowering communities; and the strong involvement of Largo Communities Together as the anchor organisation in the Fife LOIP.

10:45

I do not think that that there are any structural issues. There are places where third sector involvement is not happening, and I think that there are strong arguments for why it should be happening. If the only reason to do it was to reach the communities that we are trying to support in relation to inequalities and deprivation, that would be reason enough.

David Milne wants to add something.

David Milne: Mr McKee raised a question about the communities being divorced—maybe two or three levels away—from the CPP. I have seen in previous evidence that there was a bit of debate on the significance of that situation. An argument was made that what matters to communities is that they feel confident that public services will come to them, will listen and will actually do something based on what they hear. It can be argued that communities do not necessarily need to know that that is being channelled through a CPP formal structure.

Given the way that CCPs are increasingly being organised, it is probably fair to say that, in general, a lot of their work is being decentralised, from board level to thematic groups or locality groups

or, in many cases, to quite informal working groups, including among front-line staff. It is at that level that it is important that people who work in public services engage with the third sector and directly with communities in order to get a sense of what matters to them and to respond to that.

Ivan McKee: That is a fair comment. I think that it was described in one of the papers as the “glue” behind the scenes. However, that does not take away from the fact that, when I engage with local community organisations that do great work on the front line and which have many frustrations in many areas, their work tends to coalesce organically, but there is not the sense that that is something that the CPP or any other structure is adding value to. In fact, the area partnerships are seen largely as a mechanism for funnelling funding to local organisations, rather than as something that pulls things together strategically and coherently. Indeed, community councils also have an important role to play in that.

I suppose that I meant to reflect on the frustration that was expressed by the third sector about not feeling part of that process. By the time you get to it, it is the third sector interface, which again is quite far removed from the people on the ground who are delivering real stuff in real communities.

Does Councillor Heddie have reflections on any of that, bearing in mind that Orkney might have a different experience due to its size? I think that his screen has frozen, so I will move on to my next point.

Engagement of the business community in delivering community empowerment is also a very important strand at a local level. What steps can be taken to ensure that it is effectively involved? As part of that, I am going to reflect on the work of Scottish Enterprise and other enterprise agencies that is referenced in the written evidence. I was not engaged with any of the work that is referenced, but I want to give a perspective on it from my previous work with businesses and enterprise agencies.

I was surprised to see Scottish Enterprise referenced—it is mentioned as one of the stakeholders—because, in my experience with it, its work was much more placed at a national strategic level to build world-leading industrial and technology clusters that make Scotland competitive, rather than being involved in the nuts and bolts of what happens at a very local level. I would have thought that that local role was more for Business Gateway, frankly. I would welcome any reflections on that point as well.

Joe FitzPatrick: Obviously, engagement with business is important for community planning. Businesses are part of our local communities—

that is our starting point—so they can and should play a role in community planning and in improving outcomes for local communities.

The business community is involved in supporting fair work and making connections with employability schemes, for example, so there is definitely a role for it. There are some really good examples of where that has been taken forward.

Good work has been done by Team North Ayrshire, which was developed to address North Ayrshire’s job density figure of 0.5—that is, one job for every two people of working age—by providing local businesses with tailored support to help them to develop and grow. Businesses are given a single point of contact, through which they can access all the support that is available to them through the council and other economic and development regeneration partners. That approach provides tailor-made support that reflects the specific needs of business. An external evaluation that was conducted in 2018 showed that TNA delivers £19 million in additional wages, £39.5 million in gross value added and 580 jobs. That shows that, if we get it right, there is a real plus to having business involved.

Another example is the partnership working that has been done in the Outer Hebrides, which is a very different area. A recent best-value audit report found that the council there has worked closely with local economic partners, including Highlands and Islands Enterprise, Business Gateway, Skills Development Scotland and Stornoway Port Authority. As part of that work, teams have been co-located in the council’s main office and savings have been made.

Those are two very different examples of how engagement with business is benefiting community planning. I do not know whether David Milne has anything further to add.

David Milne: Mr McKee mentioned Scottish Enterprise. I picked up from some of the evidence that was given by previous witnesses that there was a bit of a difference between the response of Scottish Enterprise and VisitScotland, whose role is more national or closer to national, and that of South of Scotland Enterprise and Highlands and Islands Enterprise, which consider themselves to have a strong role in community planning. The way in which the community planning arrangements work—this is set out in the guidance—allows for different partners to have differentiated approaches, depending on how much difference they can make.

Ideally, we would be looking for there to be a golden thread running between the economic ambitions at national, regional and local levels. A report that the community planning improvement board produced in 2021 included an annex that

summarised the key findings on community planning since the 2015 act was passed. It found that CPPs had been effective in using city region and growth deals as a way of supporting their own strategic objectives, particularly around addressing economic disadvantage locally.

Ivan McKee: It is absolutely fair to say that HIE and SOSE have a different remit—that is well recognised—but I was surprised that there was no role for Business Gateway, which I would have thought would have been much more engaged with local business communities than seems to be the case.

David Milne: We can reflect on that.

Ivan McKee: Frankly, Scottish Enterprise has resource constraints, so it needs to prioritise. To be honest, it will probably not add any value to the stuff that we are talking about.

Joe FitzPatrick: The Western Isles example shows that there is not a blockage to a connection with Business Gateway or other organisations.

Ivan McKee: Absolutely.

Joe FitzPatrick: It is a case of doing what is appropriate for the locality and the communities there.

The Convener: We will try to go back to Councillor Heddle, because it would be good to hear from COSLA on those questions. Can you remember the two questions?

Councillor Heddle: I think so. I will ask you to refresh my memory if it fails. I apologise for the connection issue. This connection has been rock solid for three years; it is a pain that it is not working today.

The initial question was about communities feeling increasingly disengaged. I think that the figure on the extent to which people feel that they can influence decisions affecting their area has gone from 24 per cent to 16 per cent. David Milne made the good point that people feel engaged if their action leads to another action. I think that there is a difficulty with the inability to respond to requests through the CPP or through council channels because of lack of funding. If somebody complains about a hole in the road and the council cannot fix it, they will not feel particularly empowered. I think that there is also the larger context of disillusionment with democracy post-Brexit, which is maybe cascading down through all levels. However, there is no excuse for not trying to do things better.

The point that is being made about involvement with third sector interfaces in the voluntary sector is important. From my perspective, it is essential that they are involved and that they are empowered to aid us in our consultation and

communication with communities. I see them as a key part of the community planning partnership. Certainly in Orkney, they lead on one of our four key priorities, and they do it very well.

On the role of businesses, the Covid pandemic has shown that we need to reach out to businesses more and find out what is ailing them. Highlands and Islands Enterprise sits on our community planning partnership in Orkney and it leads on one of our priorities: the economic development priority. Formerly, there were the local enterprise companies and there was far more devolution locally. The chief of Orkney Enterprise had a cheque book and he could write £100,000 cheques to respond to issues. That flexibility does not pertain these days.

We need to reach out to business organisations, either through the economic development agencies as proxies or through chambers of commerce, if they exist, or informal business groupings, if they do not.

On SE's role in this, I would say that it should have a role. Its national role at present is perhaps its own choice due to its funding issues. It should be engaging with businesses more and pipelining businesses towards Business Gateway, but I think that that is the subject of a separate conversation.

The Convener: Thank you very much for that.

I am going to pick up the theme of local outcomes improvement plans and locality plans. The 2015 act replaced single outcome agreements with the practical tool of local outcomes improvement plans. I am interested to hear your thoughts on what impact they have had. I will start with Councillor Heddle.

Councillor Heddle: With the single outcome agreements, there was more flexibility. It was an era of less ring fencing and we had more flexibility to direct our resources. That was certainly the case for local authorities, but I suggest that it was probably the case collectively.

With the local outcomes improvement plans, the reporting requirement to the Scottish Government has been a fairly painless and logical evolution, although single outcome agreements were always felt to be more significant documents. They were partnership documents with the Scottish Government that were the quid pro quo for the flexibility of funding. However, I do not want to devalue the LOIPs. The fact that they are revisited on an annual basis maintains focus and allows priorities to evolve and I think that, as time goes on, the priorities become more relevant.

I suppose that an issue that can arise is that in—rightly—developing the priorities, which are very local, we create more indicators to report on but they do not necessarily align with the

indicators in the local government benchmarking framework, which is probably our gold standard for the things that we should be reporting on.

As we consider the local governance review and the new deal, along with the possibility of de-ring-fencing funds and having more focus on outcomes, we need to look at the LOIPs and the local government benchmarking framework and indicators and come to something that is perhaps more streamlined and more focused on outcomes and early intervention and prevention. That was the aspiration in the first place for community planning partnerships.

Early intervention and prevention are necessarily a long game and must be given a chance to endure and succeed. I reflect on my early days as a council leader back in 2012 and 2013, when great store was set by the early years collaboratives. That was about 10 years ago and about £1 billion was going to be directed towards that. I have no idea whether that was allowed to come to fruition or what its impact was, but it certainly seemed to be something that could have been transformational. I am not sure whether that was allowed to succeed and I have just taken my eye off the ball and not seen it succeeding, but the message is that it is a long game. We need to stick with it and perhaps recognise that it will be difficult to report on it in the early years of an initiative.

11:00

Joe FitzPatrick: Thank you for those comments, which are largely similar to the notes that I have in front of me. LOIPs are really important, and it is important that they are ambitious, yet realistic, with that focus on improvement outcomes and reducing inequalities.

In terms of the concept of the new deal, we need to understand outcomes better and what it is that we are trying to achieve. I will ask Andrew Connal to talk a bit about what that might mean in the context of the new deal.

Andrew Connal (Scottish Government): Within the context of the new deal, the Government's position is that we are still in listening and learning mode as part of our informal review, looking at what works in the context of community planning, how LOIPs are operating in practice and what needs to change, if anything. As part of that listening and learning mode, we are working closely with COSLA and the community planning improvement board, reflecting on their feedback from their partners and bringing that back to the Scottish Government to see what updates we might want to provide in any guidance, if that is asked for or needed.

The Convener: The point the Councillor Heddle made, which the minister also touched on, is about getting streamlined around the indicators and looking at local government benchmark frameworks as being the gold standard. That leads to my next question. How do you think that partners should tackle the challenge of LOIPs aligning with other strategic plans, and how do partners connect their CPP duties with other areas of responsibility such as integration joint boards and locality planning? Councillor Heddle also mentioned children's services planning. Perhaps I will start with Councillor Heddle and then come to the minister.

Councillor Heddle: If you do not mind, I would like to involve my COSLA colleagues. I know that they have greater expertise than I do in responding to that and they have been admirably quiet so far.

The Convener: Absolutely, and welcome. I do not know who to call on, though.

Simon Cameron (Convention of Scottish Local Authorities): Hi there. Could you just repeat the question for me? That would be fantastic.

The Convener: Yes. I would be interested to hear how you think partners should tackle the challenge of LOIPs aligning with other strategic plans and how you think that they can connect their CPP duties with other areas of responsibility such as IJBs, locality planning and children's services planning?

Simon Cameron: That is a significant challenge. The new deal between us and the Scottish Government gives us an opportunity to try to align those things. There is a broad range of strategies that come from across the government that can impact on benefits for local communities and the life experiences of those to whom we deliver essential services. That is where we would reflect on the opportunity that something such as the local governance review provides to look at the whole system and ask the question about the alignment of the priorities that we are looking to meet. Local outcome improvement plans are also very much part of that. They are what local communities prioritise, feel that they need and want to see happen across their area, which will have the greatest impact on their life opportunities and chances.

Although there will clearly remain high-level strategic outcomes that we want to see for the whole of Scotland, being able to embrace an asymmetric approach and encourage local partners from national bodies to see the impact of taking different approaches and working together through the CPP is of critical need for us.

That is why I reflected on the local governance review. If we continue in the manner that we are with that—for example, looking at single island authorities, and indeed, Councillor Heddle's area will be one of the lead areas in looking at how we might do that—it will provide the opportunity for local and national partners to come together to work and operate in different ways that truly put place-based approaches and communities at the heart of what they are doing.

Joe FitzPatrick: It is important that we work to prevent there being a clutter of different bodies in the landscape, and CPPs are ideally placed to help with that. One example that the committee had was from Community Planning Aberdeen, in which the Aberdeen health and social care partnership used common data. That showed that it is possible to have one set of data that is used by multiple partners.

The challenge as we count more things and expect more reporting is that doing so becomes burdensome. We need to be mindful of that, particularly in what we are trying to do with the new deal for local government. David, do you want to talk a bit about how the groups interface?

David Milne: There are a couple of levels to that, and one relates to how the partnerships connect. When we framed the statutory guidance for community planning back in 2016, we wanted to ensure that there was nothing in the statutory guidance that placed artificial controls on or barriers to how different partnership arrangements work so that there is flexibility in community planning guidance to link in with other partnership arrangements. The children's services partnership is part of the community planning partnership structure in some instances, and in some cases that has been reciprocated in guidance for other partnership or planning arrangements. In local place plans there is an expectation that community bodies will have regard to the relevant locality plan that has already been established, so there is something there about the architecture.

The other thing to highlight is the underpinning drive and motivation across government, and hopefully the committee sees a clear and common focus on public sector organisations working together and with communities across a wide range of policy areas on place-based person-centred approaches—whole systems, in many cases, that work in the round to tackle disadvantage and support economic development in more sustainable ways.

That is also increasingly being reflected in the Scottish Government's relationships with its public bodies. One of the priorities that came out of the last Scottish budget was about sustainable public services. That has led the Government to enter into discussions with public bodies across

Scotland about how they can ensure that they will remain sustainable in the future, with a strong emphasis on working in partnership and a strong emphasis on the importance of prevention both in preventing the human cost and disadvantage and helping to keep public services fiscally sustainable long term by moderating demand on expensive crisis-intervention services. That is hopefully driving a greater sense of collective ambition that provides a common base for local partnership working.

The Convener: We move on to questions from Marie McNair.

Marie McNair: Minister, the committee has heard during the inquiry that CPPs struggle to demonstrate how activities are leading to improved outcomes. As that is required by the 2015 act, what more can the Scottish Government and other public bodies do to help them to demonstrate impact?

Joe FitzPatrick: That follows on from the previous question, when we talked about ensuring that we were not overly burdening all our public bodies with requirements to produce data. I wonder whether the answer to that is to ensure that we collect the correct data, whether it is quantitative or qualitative, and to share it so that we understand the progress that is being made towards improving local outcomes. That is perhaps the best answer.

Marie McNair: The committee understands that the Scottish Government is conducting a review of the Community Empowerment (Scotland) Act 2015, but that part 2 of the act is not being reviewed. What is the reason for that? Does the Government have any plans to review community planning in the future? During the inquiry, community groups have voiced the opinion that reform is needed.

Joe FitzPatrick: Part 2 of the act is being reviewed through an informal process, which felt like the appropriate level. It is all about ensuring that we use resources correctly.

I ask David Milne to comment.

David Milne: Last year, the minister at the time took the decision that part 2 should be included in the scope of the review of the 2015 act. We have used terminology such as "informal" to provide assurance from the start that there is no question of Government questioning its continued commitment to community planning, so that everything focuses on how we build on the strengths of community planning and take it further.

So far, we have had the advantage of having the community planning improvement board, which has undertaken work to consider how

community planning can more effectively address some of the key challenges, particularly on the Covid recovery priorities of improving wellbeing for children and young people and household income for families that are at risk, as well as addressing climate change challenges. There is a report from that. It and the committee's findings will inform the Government's further work on review.

Convener: at the start, you made a point about Andrew Connal and I having the same job title. The reason for that is that I have had responsibility for community planning for a while. Andrew is now taking over, so that will be his joy as we move on.

The Convener: Perhaps we should see whether Councillor Heddle wants to come in on the question about demonstrating that activities are leading to improved outcomes.

Councillor Heddle, I do not know whether you picked up Marie McNair's first question.

Councillor Heddle: No, I am afraid that I was in the void at that point.

The Convener: Okay. Do you want to ask it again, Marie?

Marie McNair: During the inquiry, the committee has heard that CPPs struggle to demonstrate how activities are leading to improved outcomes. As that is required by the 2015 act, what more can the Scottish Government and other public bodies do to help them to demonstrate impact? We would be grateful for your input.

Councillor Heddle: I will try. We have perhaps addressed that in previous answers about what the appropriate indicators are, which ones reflect outcomes and which ones reflect the partners' shared priorities. There is work to be done on that. I recognise that there is a disconnect between activity and being able to demonstrate impact. It is only appropriate to say that we can do better.

I return to my theme that we need to declutter our indicators and bring a coherent focus, which would be related to the local government benchmarking framework, although obviously it is not just local government that is reporting but the partnership and other bodies. I recognise that we perhaps need to go beyond the LGBF but to remain coherent with it. That is my main point. My other point is that, as we move towards prevention and early intervention, we need to recognise that it is a long game to play.

As far as the number of indicators and objectives is concerned, a number of partners in the partnership have different priorities, so they pull in different directions. Sometimes—this is a personal opinion—I wonder whether we should pick very few objectives, such as child poverty, and say, "Okay, we're going to concentrate on

child poverty," because if we fix child poverty, we will obviously have fixed employment, housing and general poverty, and we will have contributed demonstrably to early intervention and prevention at the same time.

Although perhaps not as drastic as what I have just suggested, streamlining is probably the answer—it is an example of the thinking that we could be doing as we contemplate these things.

11:15

The Convener: Thank you. Your point about a streamlining approach is true; the issue is where the intervention point is that will give us the most impact for the activities that we carry out.

That leads nicely on to questions from Willie Coffey, who will lead on the theme of leadership, accountability and audit.

Willie Coffey: I want to touch on leadership, accountability and whether there is a role for audit in the CPP process. The committee has heard some great examples of CPPs that are working particularly well in a number of areas of Scotland, but that is not uniform; some CPPs might need some assistance and help to improve, and one of the ingredients that we think might contribute to that is effective local leadership. I want to find out whether you agree with that.

Someone who gave evidence to the committee made the really useful comment that effective leaders

"should leave silos, logos and egos at the door",—[Official Report, Local Government, Housing and Planning Committee, 7 March 2023; c 69.]

which struck a chord with members.

Broadly speaking, minister, do you agree? Is there a job of work to be done in sharing good practice in local leadership to make CPPs more effective?

Joe FitzPatrick: Yes. I agree with the comment about leaving silos, logos and egos at the door. That is a good slogan for most partnership working.

There are good examples of shared leadership. It is becoming more widespread as the systems embed. We are seeing really good examples across the country, some of which the committee has heard about. That improves the relationships, which makes a difference when something particularly unusual happens. Through Covid, the shared leadership model allowed for a response at the local level, and a wider sense of respect, which probably would not have been possible if those connections had not already been made. Very often, there was no need for formal CPP

meetings in order to have a Covid response, because the connections had already been made.

The premise of your question about leaving silos, logos and egos at the door is absolutely right. We need to look at the best examples that exist in order to take forward that approach. The CPIB's 2021 "Community Planning: Progress and Potential" report highlighted that there was

"widespread support and commitment to community planning"

and that it continued

"to be seen as an important vehicle to co-ordinate multiagency work".

People need to take the next step and recognise that that work needs to be taken forward through shared local leadership. The CPIB has done a fair bit of work to help to guide how the system might be improved.

Do you have anything further to add, David?

David Milne: Mr Coffey raised the question of scrutiny. Obviously, the Accounts Commission is independent of the Scottish Government, so it reaches its own conclusions, but it assesses how well local authorities work in partnership with others, including through community planning, in the annual performance audits and occasional best-value audits that it undertakes of local authorities.

At the request of ministers, some of the inspectorates, including Healthcare Improvement Scotland, the Care Inspectorate, His Majesty's Inspectorate of Constabulary in Scotland and Education Scotland, are undertaking a series of joint inspections to look at how services work in the round to provide care and support for adults and for children and young people. I mention that because that is already getting into the territory of how public services work around what matters to people.

The chair of the Accounts Commission also chairs the strategic scrutiny group, which brings together senior leaders from scrutiny bodies. Partly, it is about co-ordinating local government audits and inspections, so that three buses do not turn up at a local authority's door at the same time. It is also about how audit and inspection can better reflect some of the reform aspirations that Councillor Haddle referred to earlier, which are based on the Christie commission recommendations around prevention, engaging with communities and shared leadership. Government officials are part of that group as well. Those discussions respect the independence of the Accounts Commission. Again—I look to Andrew Connal in saying this—that is something that our further review work can consider.

Willie Coffey: Councillor Haddle, can you offer a few comments on the leadership issue? Across COSLA, you must see really good and effective community planning partnerships working and, perhaps, some that need to improve. Is the successful ingredient local leadership that provides dynamic engagement with local people on the ground? In your view, is that something that we can share across most authorities in Scotland?

Councillor Haddle: Yes—I agree with your point that local leadership is hugely important, and I emphasise the local aspect of that. I might bring in my colleagues to do the—[Inaudible.]

Simon Cameron: I apologise—we have lost Councillor Haddle again, but I hope that he will be able to come back in.

As Councillor Haddle was saying, local leadership is absolutely essential in that space. The CPIB—the community planning improvement board—is doing an awful lot of work to make sure that the sharing of good practice is happening across Scotland. Through briefing opportunities, such as our bulletins for elected members and our professional networks, COSLA is continuously improving and highlighting to colleagues across the country the areas where good practice is happening.

In addition, through things such as the local government benchmarking framework and the work that goes on with our colleagues in the Improvement Service, we are able to highlight the work that individual councils are doing. We have heard a lot about that work today—for example, the work in North Ayrshire around community wealth building. Those matters are not only brought to the floor of COSLA leaders, but are highlighted through the COSLA boards and the broad range of effective learning spaces and professional networks that we have.

Willie Coffey: Thank you for that. While we wait in hope that Councillor Haddle comes back in, I will move on and ask the minister about broader accountability and the role for audit. We know that CPPs are not formal accountable bodies, but they are very much part of the reporting process that sits with the agencies that the planning partnerships work with. Where should the accountability line for CPPs go? Should there be a formal accountability channel?

I remember that Audit Scotland did a report on CPPs and their effectiveness about 10 years ago, on the 10th anniversary of the setting up of CPPs. One of Audit Scotland's comments at the time was that it was unable to show that CPPs had had a significant impact on delivering local outcomes. I think that that has changed significantly in the past 10 years—you have given us a number of examples. Where do you see the accountability

and audit role sitting? Should it sit with Audit Scotland or the Accounts Commission, should there be some other mechanism, or should it not happen at all?

Joe FitzPatrick: Obviously, Audit Scotland and the Accounts Commission have a particular role in looking at the landscape. Audit Scotland in particular has been able to highlight, in a way that others maybe could not do with confidence, that there has been a shift in the focus. For council chief executives, for instance, it is no longer just about leading their own organisation. They now universally see wider partnership and collaborative leadership as being part of their role.

We need to be careful to ensure that we do not create bureaucracy that becomes a block to delivering outcomes and benefits for our communities. That is really important. We do that through collaboration and by having a shared understanding across all the partners of what outcomes we are trying to achieve. Councillor Heddle suggested that those should be slimmed down. Although, as I think he said, having only one outcome might be going further than we would want to go, that is probably a sensible thing to do.

We are having discussions with COSLA about what the most important outcomes are that we are trying to achieve. If we have a shared understanding of that across all the partners, it becomes much easier for the public to see what is happening. The public are not really concerned about whether a measure has been produced by Audit Scotland or the Accounts Commission. The public want to see a difference on the ground in the services in their communities.

Willie Coffey: Councillor Heddle, I see that you are back. I wonder whether you heard my query. Where should the accountability line be? Should CPPs be formally audited by bodies such as Audit Scotland or the Accounts Commission, or should we not go there? How do we demonstrate that outcomes are being achieved?

Councillor Heddle: I can come to that point via the point that I had been going to make before I was cut off. You were talking about the importance of local leadership. I wholly agree. I strongly believe that local leaders have to be invested in the partnership. Their role would be like that of directors—when they are sitting on a partnership, their obligation is to the partnership's aspirations. To be able to do that, they need to be empowered fiscally and functionally. As local authorities, we are totally invested in the community planning partnerships. We need to make sure that our partners are similarly invested and that the CPPs are not just at the mercy of personalities and perspectives.

When I was the leader of a community planning partnership, we had a rotten inspection—a rotten best-value review—but we turned it into a good best-value review. The community planning partnership was humming at that point because it had been a reality check for everybody, and the partners were chastened and invested. The question is how you manage to keep that going. It is incumbent on ministers and agencies to direct and empower participants in the community planning partnerships or proxies of the community planning partnerships. They are local people, because the local aspect and the place aspect must be retained, because we are responding to our communities. If there was a more directive approach from agencies and ministers that involved them saying, "A community planning partnership is a serious thing, and you've got to take it seriously," that would help to maintain continuity.

Returning to your question about whether we should be auditing CPPs, I would say that we are already auditing them. The best-value reviews that we have had in the past take a very forensic and sometimes unsparing look at the operation of the partnerships. I do not know whether we need to augment that in any way.

Willie Coffey: I thank everybody for their contributions.

The Convener: That concludes our questions. It has been a really useful discussion, and it has been powerful to have the Scottish Government and COSLA in the same space, responding to our questions. It was heartening to hear the local governance review mentioned quite a few times. The new deal was also mentioned a good number of times. It was good to hear that you are working in areas that we are taking a strong interest in.

It has been useful to hear your perspectives on the community planning partnerships—that will be a useful element to add to our report. I am really grateful to hear that you have already been paying attention to the work that we have been doing in this area. I am glad that we could contribute constructively in that way. Thank you for joining us this morning.

We agreed at the start of the meeting to take the next item in private. As that was the last public item, I now close the public part of the meeting.

11:30

Meeting continued in private until 11:50.

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