DEMOCRACY MATTERS – PHASE TWO: SURF CONSULTATION EVENT OUTCOMES

BACKGROUND

The Scottish Government is managing a new consultation on local governance, entitled Democracy Matters: Phase Two. The consultation highlights the opportunity to: *"Have your say on local communities deciding their own future."*

The SURF network has a strong interest in the rich interchange between local democracy, community empowerment and place-based regeneration – and the potential for complementary improvement. We brought together more than 25 SURF members from all sectors, including representatives of community groups, local government, housing associations, and national public and charitable bodies, for an online event on 24 October 2023.

The purpose was to explore the consultation themes in depth, with a particular focus on implications for the regeneration of places with social and economic challenges. The event comprised four thematic discussions, which aligned with the Democracy Matters: Phase Two consultation paper. This report is a summary of the main views and perspectives expressed in the consultation event. (Note: to encourage open and frank debate and information sharing, we told participants their names and organisations would not be revealed in this report.)

Before SURF develops a formal consultation response, we invite those who were not present at the event, to share comments and views on both the Scottish Government's consultation paper, and/or the contents of this summary, with SURF's Policy Manager, Derek Rankine. Views can be shared by email to derek@surf.scot before the end of 2023. Along with the event outcomes, information received by email will be used to inform a SURF response to the Scottish Government at the start of the new year.

We are grateful to those who attended our consultation event. We hope other SURF members will consider contributing to our response, and to the direction of national strategy on local democracy and community led regeneration.

IN SUMMARY

The SURF network does not have a settled view on a process for enhancing local democracy. Some of the views and suggestions put forward include establishing a new tier of local government, doing more to implement the existing powers community groups are intended to have access to, and strengthening the links between Councils and neighbourhoods through dedicated relationship-building officers.

Concerns were expressed about the unintended consequences of restructuring local government and community group powers and relationships, although there was a consensus that the status quo is lacking in representation, accountability and effectiveness in delivering on community aspirations.

Consultation participants were, in general, cynical about the scope for positive change on the back of the consultation. The main concern was a lack of resources to make democratic reform a reality.

SURF NETWORK VIEWS – COMMUNITY POWERS

The first stage of our consultation event asked:

> *"if we wish to strengthen and enhance community led regeneration, what new or additional powers should be created for, or shifted to, the community level?"*

This question flowed from [Democracy Matters: Phase One](#), which ran from 2018-21. The Scottish Government reported the following as a key outcome:

> *"Communities work best when [local people from a wide range of backgrounds] have local control over, and are involved in, decisions that affect them most… people told us they wanted to see a real shift in power in favour of communities… [and] far greater control over the future of the places they know best".*

SURF event participants were invited to consider practical mechanisms for turning this into a reality.

One participant wondered whether a simplification of large, region-wide local authorities into town or burgh councils, returning to Scotland's traditional administrative structure, was the ultimate direction of travel of the consultation. Another argued there would be little purpose in creating new powers for community groups, when those already in existence, are not being fully utilised, or recognised by statutory bodies.

The prospect for "rule by Facebook group" in local communities, characterised by in-fighting, negativity and disproportionate engagement by a small number of dominant personalities, was highlighted as a potential hazard of localised control. One participant noted some areas of public decision-making, such as trunk road infrastructure, would always have to be dealt with at a regional level, and argued the consultation paper should have set out which areas would be best suited to local control.

Exacerbating inequality was raised by another participant as an unintended consequence of enhanced local democracy, as affluent communities "ready" to handle greater responsibilities will benefit, while deprived areas lacking in community group and volunteering activity will not. Several participants drew parallels to the creation of the Scottish Parliament, with a "scramble" for newly devolved powers. It was argued that disparate local groups fighting for a set of powers which were "up for grabs" would prove to be a muddled, non-strategic process from which positive outcomes are unlikely to emerge.

Comparisons were also drawn to asset transfer processes. Multiple participants expressed mixed views towards community ownership of land and buildings, with examples cited of both "transformative" and "disastrous" examples. Some argued that public bodies had used asset transfer processes to foist liabilities on to community groups ill-prepared to manage them, and cautioned that the same outcome could emerge from democratic reforms, with local groups ending up with difficult governing responsibilities that they are not adequately trained, experienced or resourced to handle effectively.

Resources was the main recurring theme of this section of the discussion. A key point was repeatedly highlighted:

"There is no power without resources."

The consultation paper was itself criticised as being too thin and lacking detail, and for not acknowledging a likely reality that in the current economic and public finance context, there is no prospect of significant investment in local governance reform, which would be necessary to deliver meaningful change. Others, however, welcomed the open nature of the consultation, and felt the Scottish Government were in a catch-22, as a consultation paper that set out specific plans for enhancing local democracy, would have been criticised for being top-down and anti-democratic.

SURF NETWORK VIEWS – REPRESENTATION & ACCOUNTABILITY

The next section continued to focus on community led entities, but investigated the extent to which they could do more to represent local people. SURF's key question was:

> *"How can we best ensure community groups represent local people, reflect local views, and demonstrate accountability to the community?"*

In Democracy Matters Phase One, respondents said they value representative democracy, but want to see decision-makers involving the community more closely, and being more accountable to the people they represent.

SURF's consultees exchanged initially on Community Councils. Some shared perceived criticisms that many tend to consist of a small group of "retired NIMBYs" who are resistant to change, and who only speak for their narrow interests, rather than that of the wider community. They felt many local voices, including working people, families with children, ethnic minorities, and young people, were not heard by Community Councils.

These participants were concerned an expansion of Community Council powers would work against, rather than for, representative local democracy. A linked argument was the bureaucratic nature of Community Councils, which was seen as hindering opportunities for change, and which tended to block or delay ideas raised by local residents, rather than explore them. It was put forward that Community Councils tend to fail in rural areas, because they are isolated and lack the ability to do anything useful for local residents, while urban equivalents enjoyed better access to decision-makers and support structures.

One participant argued that community activists operating outside Community Councils, are more diverse, more engaged with the community, and more likely to seek positive change in line with local aspirations. It was argued that the consultation was effectively asking, how do we close this gap, and bring Community Councils and community activists together, harnessing the detail of a robust, democratic process with aspiration, genuine representation and effectiveness.

One participant said, making Community Councils more useful and appealing, could result in more people getting involved, and a better level of representation being achieved; the lack of power was to blame for their ineffectiveness, not the structure. Cynicism was expressed that any serious resources could or would be committed to reforming Community Councils, and some said that their current problems, including poor representation, would remain unchanged following the consultation and any attempts at restructuring.

The discussion moved on to the link between local government and their neighbourhoods. Some felt the distance was much too large at present, and resources too limited to sustain locally-based personnel who are well-connected to small communities. The reality that Scotland is an outlier at European level, where small units of local government rather than big, regional bodies is the norm, was highlighted. It was argued their atypically large size led to an organic outcome in which Scotland's 32 Councils are, in general,

poorly informed with regard to neighbourhood level activity and views. In turn, this leads to problems with representation and their ability to support locally-rooted needs and opportunities.

One participant said this could be easily fixed, relatively speaking, by establishing a formal local link between communities and the Council. A local government officer representative at a local place level, could be assigned dedicated responsibilities for building community group relationships, supporting collaborations, and signposting to departmental colleagues on request. It was argued that Councils were more complex than often understood by community groups, with multiple departments each juggling a myriad of challenging functions with inadequate resources, and not a simple, single entity detached from the community.

The discussion moved on to the ability of some community groups to champion local places and represent people "without wearing rosettes", but hitting a low ceiling in terms of the impact they are able to make without a fraction of the resources and powers that local authorities have. One participant pointed to low turnout in local elections, and challenged the notion that elected members necessarily have more democratic support than unelected community activists.

A question was raised: would local authorities willingly give up a large share of their powers, jobs and budgets for local communities to take up? One participant argued that a follow-through on this may in fact be unhelpful, as it would lead to community activitists being overburdened and having their ideas blocked, akin to Councils' "opening a window with traps set for those who climb through".

A further point was, any change on this front risked simply replicating the failed structures of the past; reducing the size of local authority regions or creating a new tier of local government, wouldn't ultimately deliver a better level of democratic accountability, given the issues with Scotland's previous administrative arrangements. More than one participant raised a linked question – when community groups start expanding, employing people, delivering public services, undertaking consultations and feasibility studies, buying assets and subcontracting, in what way do they remain distinct to public bodies?

An island-based Development Trust was raised as an example of a community group that is, it was argued, near-identical to a well-resourced local Council. If many of our bigger community groups aspire to take over some functions of local government, what evidence is available to back up claims that progressing this would lead to tangible improvements for local democracy or public service delivery?

The "patchy" nature of local government, community groups, Community Councils, and Community Planning Partnerships was cited by one participant. They argued, you can find good examples and bad examples of all of these, so there is no logical conclusion to favour one model/structure over another. The behaviour and performance of the representative body, and its relationship with the community or communities it serves, is what matters.

International comparators were highlighted, one being the Netherlands, where community groups can formally ask local government for investments such as a new cycle lane. Could community groups in Scotland be empowered to, for example, force a compulsory purchase order on a vacant building? The democratic support for community asset transfer requests in Scotland was challenged by another participant, who asked: how many of the local population are really involved in these?

A discussion led to several people challenging the assumption that community groups are representative of the community. One person argued that "community ownership" often meant ownership by a small number of people who sit on the Board of a community group – the wider community may not even be aware a purchase has been made in their name. There were exchanges over whether Development Trusts

and Housing Associations represent and are accountable to local people – some felt they weren't, while others argued that strong community led and democracy-oriented values were built into these structures.

The "local control is best" argument was countered by some participants. One area this was seen as relevant in was employability, where regional programmes and approaches were identified as delivering better results for those seeking work and skill training, than a confusing set of modest and poorly marketed local initiatives. Another participant said the Council, NHS and other public bodies should be the "go to" actors for place-making collaborations, and argued that community groups would quickly hit brick walls in trying to deliver Local Place Plans and similar community led visions on their own.

SURF NETWORK VIEWS – SETTING BOUNDARIES

Following a comfort break, a third thematic session looked at the parameters community groups and community led plans should operate within. Participants were asked to consider:

> *"How should community groups determine the geography in which their community action plans operate – and should these plans be bound to timescales? "*

This question generated limited debate. One participant argued that rural catchment areas tend to have "permanent, settled" school boundaries that community groups could usefully align with. Another countered that school boundaries and postcode regions were not helpful, as in many parts of Scotland they don't match up well to organised neighbourhood activity. Some pointed out that in bigger urban areas, community groups tend to operate across multiple local authority wards – and sometimes across a local authority boundary – which were reported as being very tough for local groups to navigate.

It was argued different boundaries would be required for different democratic functions, with refuse collection services and schools requiring different catchment areas. Examples were given of some communities that see themselves as "attached" to a different Council than the one they have been assigned to in boundary maps, with no realistic scope of change, neither through the consultation process nor other means. One participant said there was clearly no policy appetite or public funding available to redraw or redefine local government boundaries. The wide scope of Local Place Plans, which can cover any spatial boundary from a large rural region to a single building, was seen as usefully flexible in this context.

The discussion moved on to boundaries of time. It was argued that any community led place plan should have regular reviews built in, with scope to make changes over time where the community deems this necessary. For one participant, the time period was immaterial, the important aspect was the principle that the community has a democratic mechanism in place to change something they feel isn't working. Several agreed plans need to be flexible and fluid, and responsive to the needs of the people, regardless of the implications for complicating or slowing down planning and activity.

SURF NETWORK VIEWS – RESOURCES AND RELATIONSHIPS

The final theme of our consultation event looked at what changes the SURF network might wish to see around regeneration delivery costs and partnership working. We asked:

> *"What is the best way of financing community led regeneration, and aligning these plans with public sector regeneration activity?"*

The present cost of living crisis was immediately raised as a concern. Several participants felt another tax imposition on communities to fund a new layer of government, and/or a scaling up of community led regeneration interventions, wasn't going to happen, or wasn't fair on already hard-pressed households.

At the same time, it was accepted that democratic change needs to be resourced, or the status quo, which Democracy Matters Phase One respondents and SURF members alike were critical of, will continue. The practical impossibility of serious progress here was seen as dispiriting, and one participant strongly criticised the Scottish Government for operating what they perceived as a vital and wide-ranging consultation, which it can't follow through on. Another said Scotland's present democracy excludes many people, and reform should be seen as a key priority that must be achieved, and not an unaffordable luxury.

A thoughy experiment was provided by one participant, who asked: what if community groups were given new democratic powers, with no change in resources? Some felt local people would have their expectations raised, but when the newly empowered community groups can't meet them, these groups would get blamed for failure. The adage, "there is no power without resources", was again cited.

An international comparison with Scandinavia was made. It was highlighted that democratic engagement and public service standards were very high in Norway, and that they don't need the high levels of community volunteering that exist in Scotland. This was seen as avoiding issues with burnout, fatigue and poor wellbeing, that busy community activists in Scotland can suffer from. An open question followed: can Scotland become like Scandinavia? Much doubt was expressed, in the context of the increase in taxes, scale of reforms and time required - 50+ years was one estimate. One participant felt taxing rich people significantly more would help start the journey.

Wider philosophical exchanges on the nature of government followed. Attention was drawn to communities mobilising in times of crises such as flooding and Covid. Some challenging questions were asked: do we need difficult circumstances, or the state to fail, for communities to mobilise? Do people with busy lives have the time, energy and motivation to participate in time-consuming local democratic processes that extends far beyond voting for elected members? Does it matter who holds local control, if power ultimately breeds corruption?

Two final comments were strongly critical of the entire consultation. One labelled it a "glossy exercise", with no money set aside to deliver on any ambitions for reform in local democracy. Another said of the Scottish Government: "you should have done better than this".

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