



DEMOCRACY MATTERS – PHASE 2

EVENT REPORT

SKYE – 14 NOVEMBER 2023

**Prepared by The Lines Between
for The Scottish Government**

Democracy Matters - Phase 2 Facilitated Event Report – Skye and Lochalsh

Introduction

This report summarises the discussion at a facilitated event held at Portree Community Centre in Portree on 14 November 2023. The purpose of the discussion was to provide feedback to inform an ongoing Scottish Government public consultation: [‘Democracy matters phase two consultation – local governance review’](#).

Nineteen community members were present, plus two facilitators from the Scottish Community Development Centre and two rapporteurs from The Lines Between. The community members represented community councils in the Skye and Lochalsh areas, development trust members, voluntary sector employees and small grassroots groups.

Following a presentation on the consultation project, the attendees were split into two groups. This report is structured around the six questions discussed by participants:

Q1: What powers do communities need to take democratic action?

Q2: How would people be selected, and how can people best reflect their communities?

Q3: How can we make sure any new structures are accountable to the community?

Q4: How can communities become involved in what needs to be done?

Q5: What resources and standards are required for democratic involvement?

Q6: How can we share and grow skills and knowledge for local democracy?

Summary of views expressed by community members:

- Participants wanted the following powers: planning, budgetary, and legislative. Greater powers would help curb disengagement and apathy and restructure the power divide between community councils and local authorities.
- There were calls for greater engagement across the community to create more representative community organisations. However, volunteer work often excludes people. Budgets for work buy-outs and childcare subsidies were suggested, and there was strong support for paid positions for community engagement officers and administrative assistants.
- Attracting youth participation by earning school credit for democratic engagement was suggested.
- There was discussion of new regulations for local representatives, including term limits, creating continuity during election changes and different ways of picking representatives, for example, sortition.
- Transparency and trust in elected officials are important and could be improved, including more open forums where community members can engage with their representatives, and accessible public reporting.

- Frameworks and government toolkits were popular suggestions for improving the collaborative working relationships between community councils and community development trusts, reporting and budget management. There was also a call for assistance to create community development plans and statements of purpose.
- Systemic changes were also discussed, including dissolving community councils in favour of district councils, creating term limits for elected officials, and staggering community councillor elections to ensure skills, knowledge and experience are passed on to new members.

Question 1: What powers do communities need to take democratic action?

Planning powers

- Communities would like the power to make decisions on planning applications and proposals in their areas. Decisions made at the local level can be overturned at higher levels of government, whether local authority or Scottish Government. Local voices were not considered outside of the communities.
- There was some agreement that while planning powers may never be absolute for community councils, they should have 'commanding authority'. One participant referenced NPF4 as a reason why this could not happen, although they did not provide more detail.
- One participant questioned the power of veto in planning decisions and suggested it could be problematic in the hands of a small minority. Another suggested that rather than the power of veto, there should be a mechanism where planning decisions are sent back for debate if there is disagreement with local decisions at higher levels of government. This is in contrast to current practice where local decisions can be overturned by the Scottish Government.
- Aspects of planning permission mentioned included wind farm approvals and investment development approvals (with explicit reference to Section 70).

Power over budgets

- Communities would like the power to control budgets that pertain to local issues. This includes the ability to bid for further funding and use funding as they deem appropriate, such as hiring employees and creating grants that allow volunteers to be bought out of work contracts for more time-consuming community commitments.
- Local taxes, like tourist tax, should stay local and fund local projects.
- A participant noted that community trusts have had trouble accessing funding previously, as well as trouble maintaining funding and managing accounts.
- A few suggested that control over budgets would enable any community development employees to be responsible to the community rather than the source of funding.
- There was a discussion of the inconsistencies in services that occur when budgets are split between service providers. For example, budgets split between the Council and BEAR create competing priorities, like roads which are in good condition being resurfaced while others in poor states of repair are not addressed at all.

Legislative powers

- It was agreed that legislative powers were needed to enforce decisions, engage with other agencies, and demand cooperation from larger agencies. Participants noted that larger agencies often do not engage with community groups.
- There was support for powers to deliver some local services, although which services could be provided was not discussed.

- There was a small amount of support for the power to hold referendums, but emphasis was placed on this being used for more significant decisions, not day-to-day council issues. Other participants disagreed, stating that referendums invoke disagreement and turn communities against each other. One participant noted that all votes needed to be won by a supermajority of 60% at least.
- There was a suggestion that the community council's legal basis of rights and duties should be reviewed beyond the 1973 Local Government Act.
- One participant requested the power to leave Highland Council.

Question 2: How would people be selected, and how can people best reflect their communities?

Election, selection and sortition

- Community councils and any new structures could be a mix of selected and elected representatives.
- There were mixed views on elections; some felt it was a popularity contest and did not include fair representation.
- There was a strong interest in learning more about citizens' assemblies where sortition could be used to select participants.
- One suggested that community council members should be required to publicly present themselves so that the community knows who each candidate is and what they represent. As many elections are uncontested and councillors self-select, this process can be overlooked currently.
- There was an interest in exploring the potential for deliberative decision-making, although no specific forms were agreed upon.

Greater local engagement

- Participants stressed the importance of broader community engagement. This included greater representation of young people participating, as well as people with families and people living on lower incomes. A recommendation was that new or reformed local structures purposefully seek representation from different local organisations and groups and that young peoples' voices are given the same rights as adults.
- Issues regarding both time and pay were raised in the groups. Participants acknowledged that certain groups are unable to participate in voluntary activity due to a lack of free time and financial resources. This results in community groups which do not reflect the communities they serve. There was a suggestion for compensation for the 'gift of time'.
- Representation is a two-way street. Community councillors need to go to the community with ideas, but there needs to be confidence among the community that they can approach councillors as well.

- Community councillors could use more channels to engage with community members, specifically channels that do not require in-person attendance. The idea of surveying Facebook groups was put forward.

Other thoughts

- A few participants questioned whether community councils were the most effective way to represent community interests. They reflected on the achievements of community councils and whether there was another way to structure local government. Although there were no hard conclusions, this group preferred a more local form of government, such as ward forums and the previous district council for Skye.
- Several suggested that the Highland Council and other public bodies, like NHS Highland, were too big and too far from Skye and Lochalsh. Participants provided solutions that ranged from reforming it into smaller democratic units and decentralising powers and decision making, although no consensus was reached.

Question 3: How can we make sure any new structures are accountable to the community?

Encourage wider participation

- Participants want to encourage enough community participation to ensure all elections for community councillors are contested. Without contested elections, community control over councillors was limited. One participant noted that only three elections were contested in Skye and Lochalsh, with multiple candidates running for the open spots.
- There was strong support for time limits for community council members and even for elected officials at local authority and national levels. However, it was also noted that community councils already struggle for participation and term limits could further disrupt the functioning of community councils if they were in place.

Instil trust in community councils

- Transparency was supported by participants. Community councils and development trusts must make their lists of councillors and members public and demonstrate to the community what they are doing in an inclusive and accessible way. Some suggested publishing reports on bus shelters and social media groups.
- All citizens should be allowed to attend public council meetings. One participant suggested that these meetings be testimonial or story-based directly from those with lived experience. This would enable those making decisions to understand the community's experiences effectively.
- There was support for deliberative processes. This would involve all elected representatives - community, local and national - making their voting positions public before any votes, allowing communities to engage with their representatives if they disagree with the decision. There was another suggestion that this may not be possible in all cases.
- There was a call for setting high democratic standards. The example discussed was specifically about meeting minutes and how they must be taken. While it was acknowledged that taking minutes is a legal requirement, some community councils either did not take minutes or published minutes in inaccessible places. Many supported a suggestion that those who do not make meeting notes and reports accessible to the community receive a sanction. This should apply to all organisations, including community councils, community development trusts, local authorities, charities, and the Scottish Government.
- The Scottish Government should provide more skills development, including creating a template that helps community councils practice transparency and developing websites and internet forums. There should also be a toolkit for creating community action plans.

Question 4: How can communities become involved in what needs to be done?

Community consultation

- People in the community currently do not feel listened to. There should be greater power at the community governance level, which would empower participation. Community members felt disillusioned, disengaged, unheard and apathetic.
- Consultations provide community members with a voice. Community representatives have engaged in consultation processes with the police, health board, and local authority. Participants requested a holistic and coordinated approach to consultation.
- However, participants generally had negative feedback about consultations, noting they require time and resources. They noted a danger in over-consulting, which can lead to fatigue or raise false expectations about what civic forums have the power to change. There was also cynicism around consultation by public bodies as people believed that decisions had already been made behind closed doors.
- Other suggestions included working with the community to develop an action plan to allow communities to feel they were working towards something.
- Social events should be organised within communities to allow for open chains of communication about what is important. Social media was also seen as an important way to engage more people in communication, alongside traditional methods of communication.

Address barriers to participation

- Many barriers to local participation were noted. As well as a lack of time and financial resources, volunteers cannot be expected to deliver all aspects of local democracy. It was suggested that more support should be available to assist people in participating.
- Transportation was a significant issue within island communities. Representatives could meet community members where they are, for example, in schools, rather than expecting them to travel or to attend organised events. Other suggested areas include supermarkets, libraries, and leisure centres.
- Participants suggested that issues important to the community are addressed and that representative bodies respond to the needs of groups that do not usually engage with community councils or development trusts. It was important to hear feedback on the actions resulting from their views. This is felt to be a weakness area at present.
- Make community involvement a part of the curriculum to provide education on the importance of democracy and teach children and young people how to participate in decision-making processes.
- The language of policy and consultation documents should be accessible to all and free of jargon. Not understanding the terminology of local government can exclude certain groups.

Question 5: What resources and standards are required for democratic involvement?

Secure sources of income

- Financial resources were highlighted as necessary to engage the community and ensure the smooth running of community organisations.
- Participants provided specific suggestions for secure sources of income to community organisations. One argument was for Skye to receive an island allowance, as the bridge does not sufficiently overcome the barriers of living on an island.
- Another suggestion was that Land and Building Transaction Tax could be a source of income for the islands. Similarly, local tourist tax revenue should stay in the area.
- Funding from non-governmental sources could give community councils more freedom. When money comes from the local authority, community councils and community development trusts are expected to follow their instructions.
- Another suggested that community councils could award independent funds or grants to other community projects and groups.
- Funding, resources and support should be provided on a long-term basis, not on a project-to-project or short-term basis, to establish security and continuity.

Frameworks

- There was a suggestion that community councils and community development trusts create mission statements or statements of purpose that they then work to.
- Participants suggested that a stronger relationship between community councils and community development trusts would be beneficial and end silo working. They requested a framework for partnership working. For example, a local community wanted to build a play park for children, but Highland Council said no. The local community council and community development trust worked together to raise funds and build the park.

Acknowledge the limits of community organisations

- Participants wanted the limits of the system acknowledged. These included recognising the involvement of everyone is impossible, considering when civic groups reach decisions outside of the best interests of the community, and understanding that community councils are already overwhelmed and do not have the scope to increase their responsibilities.
- One participant noted that the lack of functional, accountable local democracy leaves communities feeling cynical and apathetic to the possibility of change.
- Another disagreed strongly with NPF4 planning, arguing that discussions about community involvement in planning are irrelevant in the the new legislation.
- While Highland Council, NHS Highland, and other public bodies were described as overly centralised and too big, remote and unresponsive to local concerns, there were fears that devolving powers and shifting responsibilities would burden volunteer organisations without proper resourcing or training. One proposed

solution, as mentioned above, was to reinstate district councils, which could link communities to the wider Highland Council.

Question 6: How can we share and grow skills and knowledge for local democracy?

Tools and assistance

- There was support for establishing a charter to provide resources, powers, and accountability. This would need to 'have teeth'.
- Others suggested communities need more effective channels of influence over public bodies; service delivery currently reflects service needs, not community needs.
- There was strong support for assistance with the administration of community councils.

Youth engagement

- The importance of youth engagement was reiterated. Participation from young people was important not only for that demographic group to gain representation, but also for the future stability of community councils and development trusts. There was a suggestion to give school credit to get young people involved.
- Community councils and development trusts needed to respect the opinions of those new to the organisations, especially the voices of young people. One young person in attendance provided first-hand experience of feeling excluded while participating in community council events.

Skills, knowledge, and experience exchange

- It was important for community members that those in power had the skills to represent the community. This included recommendations to train young people and newly elected representatives.
- There was support for term limits across both groups to ensure both community involvement and that the councils do not follow the agendas of a small few. However, there was also concern about continuity and the loss of experience, skills, and knowledge if there was a steady turnover of representatives. One suggested solution was to stagger community council elections, allowing newly elected members to gain the experience of those currently serving.
- A community worker was suggested as someone who could aid participation and provide knowledge transfer between community councillors when there is high turnover. This could stop councillors from 'reinventing the wheel' each term. Community Trusts could employ community development workers. The job should focus on aspects of the organisation and administration associated with civic engagement, and volunteers can focus on empowerment and decisions.

The Scottish Government, SCDC and DTAS would like to thank all those who participated and shared their views and experiences in this discussion.

