



OFFICIAL REPORT  
AITHISG OIFIGEIL

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# Local Government, Housing and Planning Committee

Tuesday 21 September 2021

Session 6



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Pàrlamaid na h-Alba

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**Tuesday 21 September 2021**

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**LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE**  
**5<sup>th</sup> Meeting 2021, Session 6**

**CONVENER**

\*Ariane Burgess (Highlands and Islands) (Green)

**DEPUTY CONVENER**

\*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

**COMMITTEE MEMBERS**

\*Miles Briggs (Lothian) (Con)

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

\*Meghan Gallacher (Central Scotland) (Con)

\*Mark Griffin (Central Scotland) (Lab)

\*Paul McLennan (East Lothian) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

David Allan (Scottish Community Development Centre)

Paul Bradley (Scottish Council for Voluntary Organisations)

Kim Fellows (Local Government Information Unit)

Sarah Gadsden (Improvement Service)

Angus Hardie (Scottish Community Alliance)

Ailsa Henderson (Boundaries Scotland)

Ronnie Hinds (Boundaries Scotland)

Paul O'Brien (Association for Public Service Excellence)

Colin Wilson (Boundaries Scotland)

**CLERK TO THE COMMITTEE**

Euan Donald

**LOCATION**

The David Livingstone Room (CR6)



## Scottish Parliament

### Local Government, Housing and Planning Committee

*Tuesday 21 September 2021*

*[The Convener opened the meeting at 09:30]*

#### Interests

**The Convener (Ariane Burgess):** Welcome to the fifth meeting of the Local Government, Housing and Planning Committee in session 6. We have received apologies from Mark Griffin.

Given today's subject matter, I invite members to declare their interests.

**Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** I am a serving councillor in East Ayrshire Council.

**Meghan Gallacher (Central Scotland) (Con):** Like Elena, I am a councillor—in North Lanarkshire Council.

**Paul McLennan (East Lothian) (SNP):** Likewise, I am a councillor in East Lothian Council.

**The Convener:** In respect of item 3, I declare that I am a Highland and Islands MSP.

## Decision on Taking Business in Private

09:32

**The Convener:** Our next item is consideration of whether to take items 4 and 5 in private. Those items will be an opportunity for members to reflect on the evidence that they will hear in the meeting. Do members agree to take items 4 and 5 in private?

**Members indicated agreement.**

## Local Government, Housing and Planning

09:32

**The Convener:** The next item is an opportunity for the committee to take further evidence to inform its thinking on what our key priorities should be during this session, with a particular focus on local government and communities. The evidence session will also be an opportunity to raise issues in order to inform the committee's pre-budget scrutiny. The committee will take evidence in a round-table format.

I begin by warmly welcoming David Allan, who is deputy director of the Scottish Community Development Centre; Paul Bradley, who is the policy and public affairs manager at the Scottish Council for Voluntary Organisations; Kim Fellows, who is commissioning editor at the Local Government Information Unit; Sarah Gadsden, who is the chief executive of the Improvement Service; Angus Hardie, who is the director of the Scottish Community Alliance; and Paul O'Brien, who is the chief executive of the Association for Public Service Excellence.

Before I invite questions from members, I ask that people who are participating remotely press R in the BlueJeans chat function if they wish to respond to a question. The chat function should not be used to write responses to questions, as they will not be recorded.

Different committee members will initiate different themes. Because we have quite a few people on the panel, we will not necessarily be able to ask you all to respond to all the questions, so we will keep an eye on the chat function in order to make sure that you can come in with a response. In some cases, committee members may direct questions to some of you. I hope that that has been clear on how we are going to try to do this hybrid meeting.

I will kick off with a general question that explores the theme of the pandemic and recovery. What are the biggest challenges for local government and communities over the next few years, and what main lessons have been learned from the past 18 months? The clerk will have to guide me as we get the R system sorted out. I would love to hear from Kim Fellows and then Sarah Gadsden.

**Kim Fellows (Local Government Information Unit):** Since we last spoke to the committee, I have spent some time talking to our members and reflecting on recovery from the pandemic. The key thing that I have been able to ascertain is that we need to take a deep breath now, because it is not

over. We are taking baby steps on the road to recovery.

The members' reflection is that, in areas in which partnerships were strong before the pandemic, they are even stronger now. As we return to some sort of normality, members want to stress that getting the wins out of those deep and meaningful relationships is key.

There is also a reflection that, in areas in which the NHS perhaps did not work so closely with councils, relationships have deepened, widened and become much stronger. The same thing is true of the voluntary sector: the relationships that existed have been enhanced and developed.

Individual communities are now more understanding of council processes, and councils are more able to understand how communities can work more effectively together.

**Sarah Gadsden (Improvement Service):** I will give our perspective on some of the challenges that local government faces as a result of the pandemic. All the evidence demonstrates that the pandemic has exacerbated inequality of outcomes for too many people, so it is important that local government's focus should be on a fair, just and inclusive recovery that seeks to ensure that those who were already experiencing poor outcomes are not left behind in the rush to get back to normal. Within that, local flexibility will be critical, with councils being able to prioritise and use their resources in different ways to meet different needs and circumstances.

Another challenge will be in relation to digital. During the pandemic, local authorities made significant progress in moving services online, and it is important that we do not lose that pace of change as we go forward. Equally, we are mindful of the potential risk of digital exclusion of those who cannot engage using digital methods.

A third key challenge for local government will be to look at the learning that we got through the pandemic and how we were able to change services and deliver them differently, the way in which communities were involved, the way in which staff were empowered, and the way in which more risks were taken. We need to look at how we can learn from that experience so that we can redesign and reconfigure services for the future.

There is certainly some evidence that the pace, agility and effectiveness of the response at the local level was enabled by the removal of bureaucracy and that the conditions have been created for empowerment. Building on what Kim Fellows said, we also believe that partnership working was critical to the response, particularly in relation to developing and implementing new services and programmes of support. Within that,

the community planning partnerships played a key role.

Finally, the relationships between local authorities and communities were vital. There were numerous examples across the country of communities delivering critical services and targeted support to those who needed it most. There was a real surge in volunteering, and we should not lose the momentum of that as we go forward.

**The Convener:** Thank you. I now invite Paul O'Brien to comment, followed by David Allan.

Paul, you are on mute.

**Paul O'Brien (Association for Public Service Excellence):** Is that better?

**The Convener:** Yes.

**Paul O'Brien:** I will build on some of the points that have already been made about lessons and challenges.

Covid has really sped up the pace of some of those big public policy crises that we knew were building. Sarah Gadsden talked about the pace of change in digitalisation. There is also the care economy, and there is climate change, obviously, which is going to dominate public policy for the next couple of decades. There is still a housing crisis, and it will be intermixed with climate change through things like retrofitting and so on.

Those are the longer-term challenges that we already faced, and I have not touched on finance and skills. I assume that there will be further questions on finance later in the meeting.

Some of the notes from the programme for government also touch on the lessons to be learned and the importance of local government to public health—and I stress that point. When we went into lockdown, many of the front-line services in local government stepped forward to meet the challenges of the public health emergency that was happening, yet the same non-statutory services, such as parks and leisure, have been hammered by austerity and a reduction in finances over the years, and they depend so much on income generation, which fell through the floor during lockdown. There are therefore some huge systemic issues around finance to deal with.

I will leave the skills shortages question. I assume that we will also come back to that.

**David Allan (Scottish Community Development Centre):** The important thing about Kim Fellows's response was the part about the development of relationships between community groups and public sector partners. We clearly saw the leading role of communities in the response to the pandemic, and that was greatly enhanced where they were facilitated or enabled to take that

role by local authorities and other partners. We need to build on that work, not just by responding in a crisis such as the pandemic but through longer-term community-led regeneration. It is important to emphasise that.

Sarah Gadsden made a couple of points about risk and trust. The fact that public sector bodies and funders placed their trust in community responses at the beginning of the pandemic had a huge impact on those community organisations in that they were seen to be delivering valuable services and taking leading roles in moving their communities forward during the pandemic.

**The Convener:** I invite Paul Bradley to respond to that question, and we will continue exploring the theme. Elena Whitham also has a couple of questions, so she can come in after Paul.

**Paul Bradley (Scottish Council for Voluntary Organisations):** From SCVO's point of view, the pandemic has exacerbated and shone a light on the issues that the voluntary sector was already facing, in a similar way to what happened for local authorities. Emergency funding and support have been a lifeline during the pandemic, but, now we are at this stage, we need to look back at the issues that the sector has been facing for a long time, such as sustainable funding and ensuring the implementation of policy on third sector engagement in partnerships at the local and the national level. I can talk about that a little bit later.

There have been some fantastic examples of partnerships between local government, national Government and the voluntary sector, whether through getting digital devices and skills out to people in communities through Connecting Scotland or through the delivery of food, medicine and shopping. That was not a universal experience, however, and it is important to recognise that.

Most of the people we talk to about their relationships with local government and national Government say that those come down to individual relationships with the people they work with. That has expanded and grown over the course of the pandemic as people from different organisations and sectors have pulled together towards the same outcomes. That is where partnership working has worked best.

09:45

**The Convener:** Thank you for that. I will bring in Angus Hardie, as he has put an R in the chat function, after which we will move to Elena Whitham for some more questions in the same area.

**Angus Hardie (Scottish Community Alliance):** Good morning. I emphasise that much

has been made of the community bonds and the speed of the community reaction to the pandemic. In many respects, the community reaction was ahead of the local authority response. We have seen a whole new level of activity and voluntary action right across the country. As we began to come through the first phase, we heard ministers say, "We must find a way to capture this and not allow it to dissipate. We mustn't fall back into the old ways of working." Although that was said and there was a lot of enthusiasm for that approach, we must keep a focus on the issue and not allow it to slip off the agenda, because there is a danger that we will lose that.

**Elena Whitham:** I welcome everyone to the meeting. In its submission to the Finance and Public Administration Committee, the Convention of Scottish Local Authorities argued:

"this is not the time to switch from crisis management, as a crisis response 'mode' will be required for several years to come."

I would like to explore that with you. What do you think about the assertion that the crisis response mode will be here to stay for a while? I invite Paul O'Brien to start.

**Paul O'Brien:** My view is that there will be a period when we need to recover when it comes to place-based services and the look of communities, but we have lots of public policy crises to get on with. The clock is ticking on the climate and ecological emergency. I do not think that we can hold back completely while we try to bring about a recovery, but we need to make sure that services that have taken a hammering financially are fit for purpose. Although we need to bring back community services and get them fully up and running again, we also need to keep an eye on longer-term issues such as the climate, digitalisation and the care economy so that we do not stand still on those matters. The analogy that I would draw is that it is like riding a bike while trying to repair it and design the next version of it all at once.

I would like to respond to a point that was made a moment ago. My view is that local government was very much at the forefront of the immediate response to the public health emergency. Local government fed people, cared for people and engaged in public protection by making sure that refuse was collected and so on. Local government stepped forward when everybody else stepped back. Unfortunately, local authorities even had to bury people in significant numbers. Local government was very much on the front line of the pandemic response.

I am sorry for rambling a bit, Elena, but I hope that I have offered some thoughts in response to your question.

**The Convener:** Thank you. I invite Kim Fellows to go next.

**Kim Fellows:** I concur with Paul O'Brien. I cannot recall quite what phrasing COSLA used in its submission, but local government has always had crises to manage. When there was flooding in Aberdeenshire a couple of years ago, for example, it was Aberdeenshire Council that stepped forward. The council made people safe in homes and did the necessary work, and it is still repairing bridges some two years later.

Such crises will result in crisis mode; I cannot sit here and not say that. Climate, inequality and housing are all crises, and they are all at the door of local government. Reflecting on that, we see that there is never a good time to make changes. There is currently—I hate to use a cliché—a perfect storm. Elena Whitham will know about all the issues that local government faces, including 10 years of budget and staffing pressures. To give a banal, practical example, bin lorry drivers are being poached by supermarkets, and basic services are being affected.

When we spoke to the committee previously, I talked about liveability services. If councils cannot deliver liveability services in the middle of a pandemic because they are facing financial austerity and there is a tsunami of other unmet needs, that is an extreme situation. Our members are telling us that they are way behind on things that we might think are simple, such as housing repairs. There is huge unmet need in housing repairs and housing stock, as well as in mental and sexual health services. We know that those services are provided by local government, but does the public know about the pressures that those services are under in respect of staffing, budget and the public health emergency?

**David Allan:** I suppose it depends on what we mean by "crisis". As Kim Fellows said, there are on-going, long-term crises for our communities—in particular, those that face the most extreme disadvantage and inequality. Being able to respond to a pandemic gives us a load of learning to use in thinking about how we deal with the longer-term crisis issues that our communities face.

As Angus Hardie mentioned, we really need to learn from the pandemic response. If we do not learn from it and do things differently, thinking about how we support sustainable communities in the long term, we will be back facing the same issues the next time that a big crisis emerges. We need to learn how to work in better and cleverer ways, between and with our communities, in order to take forward responses to long-term issues in addition to the major short-term emergency responses.



**Paul Bradley:** To build on the point that Kim Fellows made about councils always feeling that they are in a crisis situation, I think that voluntary organisations feel like that, too. We are constantly firefighting, trying to replace funding and deliver services with restricted budgets and tightening purse strings in the public sector. Those issues are faced by the voluntary sector as well as by local government.

There is a need to focus on the wider issues and the challenges that existed before the pandemic, and to ensure that we do not use the pandemic as a way of putting off decision making. We need to focus on key areas in which voluntary organisations need decisions and funding.

Some organisations that have received funding over the past few years would have seen that funding rolled on in the early stages of the pandemic. That was important in keeping them afloat and delivering services to people who are most in need. However, at the time of applying for those funding pots, their circumstances would have been very different.

What voluntary organisations need is funding to enable them to deal with the circumstances that they are contending with just now in delivering services. That is important. Some voluntary organisations are still waiting for decisions on funding applications that were made over two years ago, particularly regarding the children and families funds. When those applications were written, the circumstances would have been very different.

I think that we are beginning to recognise that the pandemic is on-going and that we are still in a crisis, even though it is different from how it was at the start, but that we need to focus on long-term issues such as sustaining the voluntary sector, local government and other actors.

**Sarah Gadsden:** I want to draw on the evidence from the local government benchmarking framework. The report that we published pre-Covid concluded that the funding for councils is not increasing at a sufficient pace to keep up with demands, and we particularly highlighted the additional impact on demand from increasing levels of poverty. Given that all the evidence is pointing towards inequalities being exacerbated as a result of the pandemic, we anticipate that, in this year's data, we will continue to see additional impacts on demand from ever-increasing levels of poverty. Therefore, I absolutely recognise the argument about crisis management.

**Angus Hardie:** I will respond to Paul Bradley's point. I do not want to give the impression that I am bashing local authorities—everyone is well aware of the pressures that councils are under. However, the elephant in the room—and this is a

more general point—is that the quality of the relationships that exist across all levels of governance in Scotland, but specifically between local and national Government, has worsened a lot in recent years. Those relationships are crucial, because it is at the community level where the impact is felt most acutely. A plethora of local organisations all too often get caught in the crossfire, and, in a sense, communities become the unwitting casualties.

Many of you will remember the concordat that was published in 2007 and signed by the Scottish Government and COSLA. It proposed a partnership of equals in the governance of Scotland, which I thought sounded great. When I listened to Councillor Evison's evidence to the committee a couple of weeks ago, I could not help but think how far we have strayed from the sentiments in the concordat. However, this is not about pointing the finger of blame—it seems to me that there is far too much of that these days, and the blame culture just ends up pushing everyone into entrenched positions.

I should say that I am no great cheerleader for our local authorities. Principally, that is because I have always thought that they are too big to have any genuine connection to communities while, at the same time, being too small and underresourced to be properly strategic in what they do. Their scale has always been problematic. That simply puts them between a rock and a hard place, and it serves to highlight that there is a missing tier of democracy in Scotland. We need a tier that is much closer to the people, as there is in the systems of local democracy in just about every other country in the western world. The perennially strained relationship between local and national Government impacts on just about everything, and that underpins all the evidence that I want to give to the committee.

**The Convener:** We will move to a different theme, because of time constraints. We could spend a whole day with you all and really learn a lot, but we do not have a day, we have 90 minutes.

First, I will tell you what our themes are, so that you have a sense of what is coming. We will move on to budgets and funding, which will be followed by community empowerment and local democracy. We will then ask about community wealth building, which will be followed by outcomes and benchmarking, which is connected to the Christie report. The next theme will be climate emergency and green recovery, and the final theme is councillor demographics. That is the journey that we want to go on, so we have a lot of areas to cover.

I ask Meghan Gallacher to lead off on budgets and funding.

10:00

**Meghan Gallacher:** Good morning. As the convener said, we are moving on to budgets and funding, which you have already touched on slightly. Has the real-terms reduction in local government budgets impacted on councils' abilities to deliver services and meet the needs of their communities over the past eight years?

**Kim Fellows:** I cannot sit here and say that reductions have not had an impact. Of course, austerity will have had an impact on certain services.

I will use the example of staffing, which is a good lens through which to look at finance. The Improvement Service does its benchmarking, and I am sure that Sarah Gadsden will talk through the fiscal impacts as she has the data. However, we talked before about the impact on the liveability services, which are the very services that feel close to communities. As Angus Hardie said, the hard-to-reach communities—or, as I call them, the hard-to-listen-to communities—feel the disbenefit of a lack of investment. If you are sitting in a council chamber having to make difficult decisions, there is no doubt that 10 years of austerity has an impact. Looking through the lens of parks and leisure services is a good way of seeing the issue.

Taking the arm's-length external organisations as an example is also a good way of looking at the matter. Our membership is concerned that the ALEOs are now running at huge deficits. As Paul O'Brien touched on, ALEOs have lost income. There have been almost two years of pressure on services such as road repairs. People often forget that theatres and leisure services are places that are in the heart of communities. You might think, "Oh well, the gym is shut", but it is not just about that—it is about the fact that the gym facilities are used by everybody in the community, as well as for exercise referral and rehabilitation after strokes. Furthermore, theatres, gyms and community halls are places where parts of the community, including community planning partnerships and mums and toddlers groups, meet. Such things might seem trivial, but they are liveability services.

I am using ALEOs as an example, because they carry out housing repairs and other services. They are a useful way of showing that such services are in budget deficit, and considering how they will recover and what that means to communities. Sustainable funding is vitally important going forward.

**Paul O'Brien:** I agree with everything that Kim Fellows said, and would replicate much of her answer in my own.

On the question of the impact of austerity over the past 10 years, if you look at the actual figures

at a United Kingdom level, local government's percentage of gross domestic product has dropped to its lowest point in more than 70 years. I think that the last time that it was so low was in 1948. That has undoubtedly had a severe impact on local government collectively. Also, when you consider the graph of doom scenario—Elena Whitham will laugh when I say that, because she has heard me talk about it in the past—having an increase in demand for social care at the same time as the austerity cuts has created huge pressure for lots of the services that Kim talked about. We are beyond the point at which we have a minimum sustainable level of funding for local government and many of those front-line services. We need an injection of cash soon, and we need a longer-term sustainable settlement for local government.

**Sarah Gadsden:** I thought it would be helpful to share with the committee some extracts from our local government benchmarking framework report from 2019-20, which Kim Fellows referenced. In it, we concluded:

"Despite significant and ongoing funding pressures, the long-term trends in the LGBF reveal that Local Government has continued to do well in sustaining performance."

It goes on to say, however, that

"some signs of strain ... are beginning to emerge."

We noted that,

"In 2019/20, Councils were operating in a more challenging context than when the LGBF began in 2010/11. Total revenue funding for councils has fallen by 7.2% in real terms since 2010/11 (and by 5.4% since 2013/14)."

We concluded:

"Recent uplifts in funding have been insufficient to offset the major reduction in funding experienced over the last ten years."

There are a couple of other points to highlight. We concluded through our analysis that

"Funding for Councils is not increasing at a sufficient pace to keep up with demands."

Our analysis of services has shown that,

"Through legislation and Scottish Government policy, expenditure within Social Care and Education continues to be sustained and enhanced. This is often aligned to ringfenced funding. As these areas account for over 70% of the benchmarked expenditure within the LGBF, this therefore has a disproportionate effect on other Council services that are not subject to the same legislative or policy requirements. This means they are increasingly in scope to bear a disproportionate share of current and future savings."

I will give you some examples to give you a sense of what that means:

"Since 2010/11, this has included: 26% reduction in culture and leisure spending; 26% reduction in planning spending; 26% in corporate support service spending ...

24% reduction in roads spending; 28% reduction in trading standards and environmental health spending”.

**Paul Bradley:** I want to raise the challenges that local authorities face, highlighting how they are often passed on to voluntary organisations. In Scotland, voluntary organisations receive about £2 billion of income from the public sector, £1 billion of which is from local government, with approximately £500 million from the Scottish Government. That shows the scale of the issues that are faced by local authorities and that are passed on to and faced by the voluntary sector.

One challenge has been that, because of austerity and cuts to public sector budgets, there has been a definite shift towards the tendering of services—rather than grant funding—to what is a competitive marketplace, where voluntary organisations are pitted against one another to drive down the cost of services. That issue has come up across a range of areas and localities across Scotland. We know that that is a challenge for voluntary organisations.

I recently spoke to people in one organisation who had set up a fantastic programme with local authority funding and support. When new staff came in, they decided to put the new service out to tender at half the cost that it had cost to deliver before. That meant that the organisation could not bid for the contract, because it was not willing to devalue the services that it offered. That is an example of the need to find cuts and save money, which has an impact on the voluntary sector.

That has an impact in other ways, too. It is hard for organisations to track core costs from local government, national Government or even funders. Core costs are not dead costs; they really matter to the sustainability of an organisation, whether they are for human resources support, information technology support or salaries for between projects, or for when they run out or new projects start. That is a really important aspect.

I have recently spoken to organisations that have not had an inflationary uplift in their funding from local government in up to 13 years. There is another organisation that has not had an inflationary uplift for six years. That is a major problem, too. I could go into more detail on other issues that organisations face.

One more area that is really important for voluntary organisations, in addition to long-term, sustainable multiyear funding—you will hear about that from us in SCVO time and again—is the need for funding to be unrestricted, giving voluntary organisations the power and choice to make decisions on how best to spend the money that local authorities and national Government have invested in them to deliver, and trusting them to do so.

We should build on the trusting relationships and the flexibility that we have seen during the pandemic, with money going out the door to places where it is needed most. That has been really positive. The Scottish Government’s work in co-designing funding models has been successful. It is obviously not perfect, but it has been really good in many regards during the pandemic. We need that work to continue.

**The Convener:** We move to theme 3, in which we will explore community empowerment and local democracy. One of the key findings of the previous Local Government and Communities Committee was that people want to have more say and influence over how services and amenities are provided in their local areas and that community empowerment goes hand in hand with community wellbeing. Dave Watson, a former member of Unison Scotland, argued that

“the governance of public services in Scotland is one of the most centralised in Europe”.

Therefore, what specific mechanisms and policies should we include in the upcoming local democracy bill, which will devolve some control to communities?

**Kim Fellows:** That is a very difficult question for a Tuesday morning. We know from our work that that question is being asked around the world. For example, New Zealand faces the same issues with its wellbeing economy and public service reform. How do we best empower communities to deliver?

I want to go back to what Angus Hardie said about parity of esteem. I worked in the Scottish Government when the concordat was agreed, and I was encouraged that we would have mutual respect. Respect needs to flow from national Government to local government and from local government back to national Government, and it needs to cover all the community planning partners, including the voluntary sector. If Scotland—our wee country—is going to tackle those fundamental systemic issues, we must have parity of esteem across the system. If local government does not get sustainable funding and multiyear settlements, the voluntary sector cannot get such funding. If local government does not have the freedom to make choices at a local level, the voluntary sector cannot have that freedom. If the way in which we work together under the Scottish Government is the “most centralised”, with ring-fenced funding, it is very difficult to have parity of esteem.

Ten years on from the Christie commission, are we as a country going to be serious about having mutual respect and working together to tackle the big issues? Of course, we can do good things such as participatory budgeting and setting up citizens juries. The provisions for community

planning and community empowerment are all there; we do not need any more legislation. However, would it be too unfair to say that we need everybody to be willing to work together to tackle the issues that need to be tackled?

The things that keep me up at night are the net zero target, the climate emergency and inequalities. We have fantastic information and data, such as the local government benchmarking framework and the national performance framework that the Scottish Government set up, so are we going to use those measures to open the can of worms and be serious about reforming public services in Scotland and delivering for the people of Scotland?

**Sarah Gadsden:** I concur with what Kim Fellows said about the current one-year funding settlement being a challenge for local authorities and for voluntary and third sector organisations. I also agree that the levers are already in place for community empowerment. Within the Community Empowerment (Scotland) Act 2015, there are requirements for community planning partnerships to work with communities in order to deliver local outcomes, improvement plans and locality plans, which are targeted at those areas that experience the most significant inequalities.

10:15

A key element within that is the role of community planning. Several years ago, probably before the 2015 act, the Scottish Government led some national community planning conferences, and there was real momentum behind the role that community planning could play. I sit on a national community planning improvement board, which is chaired by the Society of Local Authority Chief Executives. All the statutory community planning partners are represented on the board, along with the Scottish Government and the third sector. Through work that we have been doing over the past 18 months, we have found that, in the main, community planning partnerships have provided the key vehicle for multiagency working at a local level and they signify the importance of a place-based response to meet the needs and requirements in any given locality. Therefore, for me, there is something in there about the current profile of community planning and the role that it plays, as well as the way that communities are engaged within the community planning process.

**Paul O'Brien:** We have just completed our local government commission 2030 study and the message that came out, from the sector and beyond, was that there is a lot of concern about the decades of centralisation of power, which takes power away from local government.

As other witnesses have said, there is a need for equality of respect for each other's spheres of governance. I genuinely think that, if we want to engage with communities, there is a huge need to empower and respect local democracy and democratic accountability. Communities have to feel that it is meaningful to engage with councils and local elected members. Our 2030 commission study backed up the fact that there is a need for legislation and a constitutional enshrinement of local government's role, powers and resources. There is a need to change the thinking that takes place and start with a principle of local by default.

**David Allan:** I will pick up on the theme of local governance. A local governance review has been going on for some time, but it seems to have ground to a halt recently. To pick up on what Angus Hardie and other contributors said, there is an urgent need for local decision making that is far closer to the people and to support local democracy. We have national moves towards participatory budgeting of 1 per cent across all local authorities, but that will not bed in unless we have more of a system change in decision making, because we are trying to fit a participatory democracy model into a representative democracy structure and, unless real attention is paid to that, it will be messy.

I will also pick up on what Sarah Gadsden said about community planning. The feedback that we get from groups and organisations that we work with in our programmes is that the community planning duties in part 2 of the Community Empowerment (Scotland) Act 2015 have not bedded in yet; implementation is much patchier than we would have hoped for by this stage. There has been a review of parts 3 and 5 of the 2015 act, so it might be worth while to review part 2, in order to pick up on that. Communities could contribute by responding on how well community planning is working with regard to developing collaborative responses at a local level.

**Angus Hardie:** I will pick up on Dave Allan's point about the local governance review and whether it has stalled. When elections come along, there is a natural break, but I hope that the review picks up momentum again and moves forward.

The first phase of the governance review, certainly in terms of the national conversation that we had around democracy matters, unequivocally demonstrated that there is a real appetite among communities for more control over decisions on resource allocations that impact on their lives. I hope that the second phase will explore how we can manifest new democratic innovations—for want of a better word—that will allow that to happen. That is almost like taking community empowerment to community empowerment 2.0.

I do not think that there needs to be reorganisation as we have known it in the past—it is 20-odd years since the last review—but something needs to happen. The democracy bill that was referred to needs to give voice to new structures and processes that give communities autonomous control over the decisions and the resources that come to them.

All of that will have to be underpinned by something that has been demonstrated during the Covid response, which is trust. The Government, possibly because of the urgency of the situation, said, “We’re going to put money out into communities, and we’re just going to trust them to get on with it,” and really good things happened. It was not prescribed from the centre; there was trust in communities and local authorities to work together, find new partnerships and just get on with it. If we can build on that spirit of trust, empowerment and devolved responsibility, good things will happen. We need to hold on to that, capture it in some way and frame it, so that we do not let it dissipate as time goes on.

There is a natural instinct as time goes on, particularly as we move into more and more difficult times, to fall back on known ways of working. We need to be up for trying new, fresh ways of working.

**Paul Bradley:** As a national membership organisation for the voluntary sector, we are not directly involved in the community empowerment agenda. Many of the other organisations around this table are better placed to speak about that.

This might be commonly known, but I want to draw the committee’s attention to something that has come out recently through our randomised interviews with organisations of all shapes and sizes across the voluntary sector in Scotland: the key challenge is implementation of policy relating to the role of the third sector in partnerships. The vast majority of the organisations that we spoke to, regardless of the area, said that the policies are there for the voluntary sector to play a more active role in partnerships, but that there is a real disconnect between what is said in policy and what happens on the ground. Over the next few years, the committee could play an important role in considering whether, in the areas that fall within your remit, the voluntary sector is playing a key role in practice, as it should be or as is written in policy.

I want to flag up a few areas of on-going work. We have a national-level SCVO, COSLA, Scottish Government and third sector interface network, which is working on a strengthening collaboration programme that is trying to build links and partnerships and is looking at new funding models for the voluntary sector. We had our first independently facilitated session at the end of

August, and there will be more coming out about that shortly.

Partnership work is also being done at a local level to build relationships and trust. In Glasgow, there has been a third sector review called “better relationships, better outcomes”. We are also hearing from other areas that organisations are more open and willing to engage—using third sector interfaces as a conduit, for example—and that there is more engagement with local authorities. That good practice needs to be spoken about and shared across the country.

**The Convener:** I thank all the witnesses for sharing their views on that. Staying with somewhat the same theme, I will bring in Miles Briggs, who has a supplementary question on the national care service.

**Miles Briggs (Lothian) (Con):** Good morning. I have a two-pronged question. First, how has the integration of health and social care worked or not worked? Secondly, concerns have been expressed to the committee about the proposed national care service. What impact will the proposals have on the topic that we are talking about—empowering our local councils and our democracies? I will start with Angus Hardie. If other witnesses who want to speak put an R in the chat box, I hope that we can bring them in.

**Angus Hardie:** I am not an expert on, or knowledgeable about, social care provision; the integration of health and social care is not my field. However, the fact that the announcement of the consultation on a national care service caught everyone at COSLA by surprise reflects what I said earlier about the rather strained and slightly dysfunctional relationship between national and local government. If there was parity of esteem, such conversations would go on and evolve naturally because of the spirit of partnership, but that does not seem to be the case. That is just one example that worries me.

As we move forward with the local governance review, how will we make that work without a fundamental reset in the relationship between national and local government? I listened to the COSLA president’s reactions at the committee a few weeks ago, and I do not know how we will make that work. That is not a very positive response, I am afraid.

**Paul O’Brien:** My point relates to what has been said about public funds and empowerment at the local level. It is important that how public money is spent is open to scrutiny, so that there is accountability. I would support the creation of local public accounts committees to scrutinise all public funding at a local level. That process should be overseen by democratically elected people from the area.

On Miles Briggs's question, Angus Hardie has covered what I was going to say. The way in which the announcement took place was not good. That is why, in our 2030 commission report, we made several recommendations, one of which was the creation of public accounts committees. There also needs to be a national committee in which anything that will affect the sector significantly is discussed properly by national and local government, based on a recognition that both have responsibility for those areas and an equal stake in the success of the policy decisions.

Integration has to take place in some form; we cannot shy away from that. It is ridiculous that we are going to throw lots more money at cure, which we have been doing for generations, while prevention, which involves all the front-line public health services that we have been speaking about all day, is being starved of funding. All the things that contribute to physical health and mental wellbeing locally are being starved of funding, and we are potentially going to continue to do that while we pour money into cure. We talk about reducing costs upstream by tackling issues through prevention rather than cure—we always say that that is the best invest-to-save scheme that any chancellor or finance convener could implement—but then we continue to do the same things over and over again.

10:30

**Kim Fellows:** I will tackle the question from a different viewpoint. We know that the consultation is now in the public domain, but I ask the committee, and your fellow committees, to publicise it and encourage everybody in partnership to respond to it. We have put out a briefing about that.

With regard to what Angus Hardie said, it is quite sad that we in Scotland did not talk to one another before the consultation was launched. However, that is done. I would now like us to reflect on what we have learned from the centralisation of the police and fire services and from the integration joint boards. Those processes involved consultation, followed by the passing and enactment of legislation. It is important that, before we take the steps towards a national care service, we reflect on what we have learned to date.

No one around this table can pretend that it is not a very challenging issue; there are no easy answers on our health and social care offer. It is important that we look at examples not only within Scotland but across the UK, and that we look at how Germany, New Zealand and Australia, for instance, are approaching the issue.

**The Convener:** We move to our fourth theme, which is community wealth building. I ask Elena Whitham to open the discussion.

**Elena Whitham:** The Scottish Government intends to introduce a community wealth building bill during the current session of Parliament to enable more local communities and people to own, have a stake in, access and benefit from the wealth that our economy generates. I want to explore a couple of issues with the panel. What more could the Scottish Government do to encourage councils to deliver a strong return on investment for their local economies—for example, through reforms to procurement?

What input, if any, have you and your organisations had in developing community wealth building approaches? I would like Paul O'Brien to start, because I am very much aware of APSE's report on new municipalism—it is hard to say that word. Angus Hardie can perhaps then speak about how we ensure that communities can play a full role in that agenda.

**Paul O'Brien:** I struggle with that myself—not with the concept, but with saying the word “municipalism”. The community wealth building approach that has been adopted is really important. A lot of good practice has been built up by local government around the world, and across the UK and Scotland, on embedding local skills and apprenticeships in procurement processes, and building local supply chains. It is about ensuring that local people are encouraged and helped to contribute to the supply of services and goods in an area. At the same time, that keeps as much of the public pound as possible within local economies.

We have been doing work on that for the past 20 years or so, and we have done a lot of thinking about how the public pound circulates, again and again, in the local economy. The workforces in local areas are very much based in local communities, and their spend contributes heavily to the local economy.

Elena Whitham referred to what local government can do, but it is not just about councils. We know that from areas where such an approach has been most successful. People have looked quite a lot at Preston over the years as one of the forerunners in the UK. Preston managed to make a significant difference by joining up the anchor institutions in the area—the council, the university, the college, the housing association, the police and so on—and maximising that spend within the town and the wider sub-region. The figures are quite incredible regarding the number of jobs that that created and the additional spend in that community, instead of the profits from it going 400 miles away or, worse, offshore. It is an important piece of work and policy.

**Angus Hardie:** I see community wealth building as a two-sided coin. On the one hand, we have to change procurement practices, which I believe we could and should do. As I understand it, the issue is more about the culture of procurement than the legislation. There are also best-value considerations, but we already have the tools at our disposal to invest the budgets of those anchor institutions to which Paul O'Brien just referred in the local economy.

The flip-side of the coin, though, is to develop the social economy so that the social and community enterprises and co-operatives of all sorts, as well as the small and medium-sized enterprises community, can engage with that procurement exercise, as happened in the past. Perhaps we need to invest in capacity building around that so that they can take advantage of the opportunities that come down the line.

Colleagues went on a study tour to Italy recently and looked at small SMEs and co-operatives. They do not see a massive distinction between themselves and they work in collaboration and build consortia so that they are of a scale to access the kind of contracts that the anchor institutions will make. There has to be a significant investment in capacity building on the demand side of community wealth building, which we probably have not considered yet. However, there is time to do so and there are a lot of people with a lot of knowledge working on that, so I am confident that it will potentially be a fantastic thing for building strong, local economic resilience.

**Kim Fellows:** I will keep it short because I think that you have heard enough from me. Apropos of community wealth building, I work in Australia and have experience of the work that is being done in Sydney, so I can offer to share some of that learning.

**David Allan:** I will keep it short too. Just to add to Angus Hardie's point, there is a real value in joining up local economic development. What is encouraging is the role of not only social enterprises and community enterprises but, as Angus said, SMEs in taking a joined-up approach to local economic development. The local approach has to be encouraged and supported. The more that we can do that in a collaborative joined-up fashion, the better.

**Sarah Gadsden:** Again, I just have a quick point. As possibly a precursor to work on community wealth building, we did some work several years ago to produce an economic footprint report for each local authority that made recommendations on how they could better use their economic or procurement muscle and their assets. A national learning report was produced, and I am happy to share the learning from that, if it would be helpful.

**The Convener:** Thank you—that is great.

We move on to theme 5, which is a focus on outcomes, benchmarking and the Christie report. I invite Willie Coffey, who joins us virtually, to lead on that theme.

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** We have touched on some of the issues under this theme with regards to partnerships, outcomes and the relationship with the third sector. I want to develop that a bit more. I will start with Paul Bradley. Is this the time—during a pandemic—to reset and re-establish the relationship between the third sector and the formal sector? Do you think that third sector organisations feel that they are always on the outside looking in?

My experience as an MSP—and as a local councillor, which I was for many years—is that we always turn to the third sector in times of need and particularly during times of emergency, as is the case currently. However, the danger is that, following such periods, we revert to the same old relationship, where the third sector is basically chasing its tail and looking for funding year to year. Is it now time to get serious about the issue and readjust, or reset, that relationship and get the most out of it that we can?

**Paul Bradley:** Absolutely. The two key streams of the SCVO's policy work priorities are: long-term multiyear flexible funding; and strengthening collaboration and relationships, and building on the good stuff that has happened during the pandemic.

Organisations in the sector have varying relationships with local and national Government. Some will have relationships because of how they are funded; others will have relationships because they are trying to influence policy. For most of the organisations that we speak to, their principal relationship is with the local authority. However, there are also many organisations that do not have relationships with the public sector. That might be because they are simply hyperlocal and are focused on service delivery on the ground. It can also be difficult for smaller organisations to build relationships because they do not have the resource or capacity to do that.

We often hear that operational relationships—those relationships with link officers and funding officers in local authorities and Government—can be really positive. However, there can sometimes be a struggle with more strategic relationships and with regard to the role of the sector in co-design and delivery. It is quite often put to us that, rather than there being a partnership, the organisations are just seen as part of the supply chain or as another delivery agent.

I return to my point about the gap in the implementation of policy around the third sector's role in partnership. There is a lot of great policy around that says that the third sector needs to be a clear and obvious partner, but that is not necessarily happening on the ground. That is a really important observation to keep note of.

Voluntary organisations want trusting relationships in which they are able to decide how money is spent to deliver on best outcomes. They also want engagement with funders and local authorities that understand and really want to invest in the outcomes that they are trying to deliver. Often, the challenge is a lack of understanding and recognition of the different approaches and outcomes that voluntary organisations are trying to deliver. That aspect is really important.

For us, the two crucial issues are relationships and funding. Clearly, those are interlinked.

**Willie Coffey:** I can see that Paul O'Brien and Kim Fellows want to come in. Can I ask them to contribute, convenor?

**The Convenor:** Yes, if Paul wants to come in, he can, and then we will go to Kim Fellows.

**Paul O'Brien:** I want to comment on benchmarking more generally and on the use of data. We have had performance networks in place for 22 years, I think. We collect data from about 185 authorities across all the front-line services around the UK. We look at cost, productivity, quality, customer satisfaction and so on. It is important to understand that benchmarking is looking not just at the cost, but at the wider issues and how they interrelate.

Over the past year, we have also focused on the impact of Covid on many of the front-line services, so we have a lot of data available on that. I forgot to mention that we have established a Covid recovery and renewal group for the 32 local authorities in Scotland. That might help to contribute information back to the committee as we, I hope, recover from the pandemic.

10:45

**Kim Fellows:** I will reflect on how we might go forward on benchmarking. We have the national performance framework, the local government benchmarking framework—which Sarah Gadsden can talk about much more knowledgeably—and the local outcome agreements. Also, many people throughout the UK are playing with indicators, such as the UK prosperity index. The Glasgow Centre for Population Health has public health data that is broken down by local authority area.

Is there a chance for Scotland to consider some place and community-based indicators that are

qualitative and quantitative, that explore a bit more what we have discussed and that scratch into how it feels at a local level? We have immense amounts of data, but that would be supplemented if we had tools that allowed us all—politicians and people who work in the sector—to examine what it feels like at a place level.

**Sarah Gadsden:** The committee is aware that the Improvement Service delivers the local government benchmarking framework on behalf of SOLACE. We now have 10 years' worth of data.

To link to Kim Fellows's point about place-based indicators, I flag up that we have also developed a community planning outcomes profile tool, which enables local authorities, partners and communities to see whether the lives of people in their communities are improving. We have identified a set of core measures on life outcomes—including early years, older people, safer and stronger communities, health and wellbeing and engagement with local communities—and developed a consistent basis for measuring outcomes and inequalities of outcome in areas. You can break the analysis down by local authority area and then, within local authority area, by communities. That enables similar communities within different local authority areas to undertake some benchmarking and comparative analysis of how they are performing against outcomes. It is a sort of can opener, in a sense, in that it helps to facilitate discussions between colleagues in different local authority areas about progress that they are making towards improving outcomes and how they are doing that. That resource might also be helpful for the committee.

**The Convenor:** Thank you. It is good to know that that exists.

**Angus Hardie:** I will pick up on Kim Fellows's point on whether it would be possible to develop community-based indicators. I wonder whether, given the reforms to the planning system that were introduced in the Planning (Scotland) Act 2019, this is the point at which to link the planning system much more into community planning. Local place plans, if they are ever envisaged, could embody that. There is a set of questions about local place plans that we perhaps do not have time to consider now, but they are enshrined in legislation and could perhaps begin to be fleshed out and have real meaning. There is a concern that they might be one of those whimsical ideas that have no actual place in the system and do not make their mark.

I will pick up something that Paul O'Brien said. He proposed being local by default as an aspiration. When he said that, I remembered the APSE report called "Local by default", which reflects the conversation that we are having about



community wealth building. It gives the lie to the whole thing about the procurement of economies of scale and big contracts delivering good-quality services. That report is a detailed, forensic analysis of the value that we get if we actually procure locally through small-scale contracts. It is really worth having a look at. If I am allowed to, I could put the link into the comments box—although I was told by the technical people that I was not supposed to put anything in it other than “R”.

**David Allan:** I echo Kim Fellows and Sarah Gadsden’s points. Audit Scotland has led work on community empowerment principles, and has been considering how we benchmark and measure community participation across the public sector and in community planning, which is really important. That has been work in progress over the past couple of years, to which we, among others, have contributed.

When it comes to benchmarking and measuring progress, it is important not to miss out community participation and the involvement of communities in local processes and decision-making processes. We should follow up on that and ensure that that is embedded in any measurement or analysis of progress at a local level.

**The Convener:** Yes, it is important that we start to track indicators of what is happening for communities.

We will now move on to the theme of climate emergency and green recovery—which is why I am saying that it is important to track the indicators. It is also important to shift power to a much more local level. I think that we will be considering the need for adaptation and communities will be best placed to do that work. They know what they need, what procurement they need and what they must put in place for resilience as things start to change rapidly at much more microclimate levels.

I will now bring in my colleague Paul McLennan with some questions to introduce that theme.

**Paul McLennan:** The climate emergency has been touched on this morning—the convener has just mentioned it. The issue is what a green recovery looks like for communities across Scotland and what the role of local government should be in helping Scotland to meet its net zero targets.

I will give an example. I recently met representatives of the Existing Homes Alliance. It is encouraging local government to work with the Scottish Government to deliver not-for-profit delivery vehicles to deliver retrofit and generate affordable energy. A few weeks ago, the committee heard that the cost of retrofitting in Scotland would be £33 billion. There are obviously

challenges in that, but there are massive opportunities, too, for local authorities and social enterprises—which have been mentioned.

**Paul O’Brien:** On local government’s role in climate change, to be blunt about it, I do not think that we will reach net zero targets without significant investment, and I do not think that we will reach the targets without everyone recognising that national Government has a role and local government has a hugely important role. Local government needs to work with the wider sectors involved at the local level and with the wider community to help people adopt behaviours that will help us to tackle the climate and ecological emergency. I add “ecological” again, as that is important to remember, too.

The Climate Change Committee’s sixth carbon budget sets out the key contributions that local government could achieve in the drive towards net zero. We are talking about buildings, transport, waste, electricity generation and land use. I could talk for an hour on that, but I will not bore you, because you will know this stuff anyway.

The big-ticket measures, such as the retrofitting of housing, will require a huge amount of funding to achieve. We need to crack on now with many of those things. Local authorities have set targets for 2030 and 2035 for net zero declarations, but we will not meet those without funding.

Last week at Westminster, we launched a report on public sport and leisure facilities. Some 40 per cent of the carbon footprint of district councils in England comes from local leisure facilities. More than 60 per cent of those facilities are dilapidated and outdated. Exeter City Council has just built a Passivhaus wet and dry leisure facility. It was costly, but the more we adopt such approaches, the more the price will drop. We need a huge investment programme, and we need it now. COP26 is coming up. If we do not have a real focus on climate in the comprehensive spending review and this year’s local government settlements, we will struggle to meet the net zero targets.

**Paul McLennan:** I have a question for Paul Bradley. Paul O’Brien talked about the role of local authorities in such work but, as the convener said, the role of communities is important, too. We need to build local communities’ capacity and confidence to deliver many of the changes that we are talking about. Is there sufficient understanding to build that capacity in the voluntary sector and scale it up to deliver those changes, working with local government and national Government?

**Paul Bradley:** We have defined our role as being focused on the role that voluntary organisations play in relation to their carbon footprint and on how they can work with local

government and others to deliver the changes. The conversation about the voluntary sector's carbon footprint is one that we have only just begun. That links to what Paul O'Brien said about our being behind where we should be on such matters.

That is probably all that I can say at the moment, but I would be more than happy to follow up in writing once I have spoken to my colleague who is leading on this work.

**The Convener:** We are discussing a very important topic, on which a few others want to come in. We will go to Kim Fellows first.

**Kim Fellows:** Like Paul O'Brien, I could talk about this topic for a long time. We have examples that we could share with the committee. Tomorrow, we have a new piece of work coming out on how councillors can lead on adaptation. My reflection is that it is critical that all the actors in a community are funded and empowered to deliver what is needed in that area, from Passivhaus leisure centres through to retrofitting—in a way, this is a proof of principle that community partnerships can work. We know that that will be difficult and challenging, but we have no choice.

We have a big report on what is happening around the world on such issues coming into the public domain next month, which we can share with the committee. As has been mentioned a couple of times, it is a case of capturing and sharing learning, looking at how people have delivered, taking those examples as beacons, and asking what we can learn from them and how we can build on them.

I cannot say often enough that we are not talking about a homoeopathic dose or a billion small flowers blooming; there needs to be serious investment in making happen the things that will make a difference. We do not have time to do it in small doses.

**David Allan:** There is a clear need to drive up community engagement on climate change and the climate challenge. The people who are most affected by climate change are probably those who are least engaged in addressing or even understanding the scale of the issue. We face a real just transition challenge in that regard. The more we can do on that, the better. The development of green participatory budgeting is one way of beginning to tackle that, but I agree with Kim Fellows that it is big systemic changes that will be the real drivers. However, we need to bring people with us and for them to be engaged in the process the whole way along the line.

11:00

**Angus Hardie:** I agree with what everyone has said. We need control of the big levers of transport, agriculture and housing at all levels and massive investment to make all of this happen, but we must also think about how we effect system change across society. That needs to happen from the bottom up. In the past, we used the tried and tested way of challenge funds—for example, the climate challenge fund—that communities could bid into. For 10 years, such an approach delivered a lot of good projects in communities, but the problem was that they burned brightly while the funding was there but then left little lasting legacy.

We need to change our approach. To its credit, the Government has recognised that, and with the community climate action hubs, we are moving to a new model of building local resilience and capacity that will, I hope, be more sustainable. However, we are just beginning to work through what that means.

Of course, action needs to happen at all levels. This is not just about reducing carbon at a local level; we need to build food and energy resilience, for example, and change our very centralised energy system to a much more localised model in which demand and supply are matched locally. That will require huge investment.

As Kim Fellows has said, we have to move fast and we have to move now. I do not think that anyone would disagree with that.

**The Convener:** We will have to go over our time a little bit. I know that we have one more theme to explore, but I want to indulge myself with a supplementary on the climate emergency issue.

The committee has been talking about how we might work with other committees, and I have started a conversation about agricultural support payments, which will have to be reviewed at some point. In a conversation with me, someone pointed out that local government could play a role in that respect. What if we directed 5 per cent of the agricultural support payment budget towards local government to fund, say, farmers markets or even glasshouses where we could start growing things locally on quite a large scale? I am curious to hear what Paul O'Brien has to say about that, and it would be great if perhaps one other witness could offer another view or say something in support. What do you think of the idea of agricultural support payments going to local government?

**Paul O'Brien:** I would support that. Indeed, it might also help with local sourcing. Many good authorities have been working on the issue of sustainable sourcing of food and supplies for a long time now, but it might fast-track and speed up things if local government had further responsibility in that area, with the finance and

resources to encourage and develop the supply chain and ensure that investment was made at that local level in a fair and equitable way to nurture those local suppliers.

**Angus Hardie:** I, too, would support such a move. I do not know whether the committee will continue the review of progress on the Community Empowerment (Scotland) Act 2015, but I know that a lot of local authorities have struggled to meet their requirements under part 9 of the legislation to reduce waiting lists for allotments and to make land available for local growing. Your suggestion might be one avenue for easing the financial pressures on local authorities.

I should also point out that every local authority is now required to develop a food growing strategy. I know that Edinburgh is doing one, because I had a meeting about that this week. I do not know whether that is happening more widely, but it might be interesting for the committee to consider looking at the matter, which would keep the pressure on.

**The Convener:** We move on to our final theme, which is council demographics.

**Miles Briggs:** With the council elections rapidly approaching, what can be done to improve council demographics? We want to encourage more women, younger people and people from ethnic minorities to put themselves forward and get involved in local government. One of the issues that people have raised with us is around remuneration for councillors. Given your experience, what do you think would encourage more people to consider putting themselves forward?

I will start with Kim, because I know that you have commented previously on the matter.

**Kim Fellows:** We have done a lot of work on councillors with the Fawcett Society, and we have some evidence that we can submit to you. A specific point that might interest you is that some of the people who lost their seats in English councils at the recent local government elections felt that there was no support for them afterwards; there is no pension support for them, either.

Not only is it difficult in the run up to being a councillor, one then has the pressure of being one—and there are questions about the remuneration for the role—and there is no support afterwards. For younger people seeing the crazy-paving career path that councillors have, the idea of then coming out of the role with no support prevents them from putting themselves forward. We can submit more detail on that to the committee.

**Paul O'Brien:** I do not want to dwell too much on the remuneration question, other than to say

that councillors are paid far too little for their role and responsibilities, and that there needs to be a further review of the matter. The situation is worse in England, but Scotland, Wales and Northern Ireland need to review the remuneration aspect further, because people need to be valued for doing that very important role in society at a local level.

I would rather say a little bit more about the equality side of the matter. I hope that you have received a copy of our local government 2030 commission's report. One of our recommendations is to put in place a duty on local governments to be truly representative of the local communities in which they are based by 2030, and to report progress on the duty annually to show that they are moving in the right direction towards equality in all ways.

Without such direct action, progress will be slow. We took a lot of evidence from groups such as the Fawcett Society, which Kim Fellows has quoted. I recently saw a report that mentions, I think, equal pay, which suggests that, based on the current speed of progress, that will be achieved in 2077. We need to take direct action to speed up things, so we recommend that duty on equality, and progress towards it, by 2030.

**The Convener:** That brings us to the end of our questions. Thank you so much for joining us this morning. Although the conversation was a bit tricky in the virtual space, we managed it pretty well and it has been helpful. We really appreciate your contributions, which will help us to go forward with our work.

11:08

*Meeting suspended.*

11:15

*On resuming—*

## Electoral Arrangements Regulations

**The Convener:** Under the next agenda item, the committee has the opportunity to take further evidence to inform its consideration of the regulations that give effect to Boundaries Scotland's recommendations relating to six local authority areas. This week, the committee will hear from Boundaries Scotland on its recommendations. I warmly welcome, from Boundaries Scotland, Ronnie Hinds, who is the chair; Ailsa Henderson, who is the deputy chair; and Colin Wilson, who is the review manager for the Scottish boundary commissions secretariat.

I acknowledge Boundaries Scotland's good work in making its recommendations. It was good to read about it and to see the criteria that were used. I am very aware that Boundaries Scotland is a fairly small unit of people, so you did a good job. You had to work with the criteria, and that has led to different responses, depending on the local authority that we have talked to. We will get into that this morning.

I invite Elena Witham to ask the first questions.

**Elena Witham:** I welcome the representatives from Boundaries Scotland.

Boundaries Scotland recommended that North West Sutherland and Wester Ross should have fewer councillors. Why was that recommendation made, given the size of those areas? What impact might that have on the depopulation trends that we have seen over the past few decades? Will those trends be exacerbated by the recommendation? I direct those questions to Ronnie Hinds, as the chair of Boundaries Scotland.

**Ronnie Hinds (Boundaries Scotland):** We have rehearsed the division of responsibilities between us, so I will direct the questions to the person who is best placed to answer them. I will start and then ask Colin Wilson to supplement what I have said.

Our responsibility is to look at the council area as a whole. By necessity, if we are doing a review and there have been population and electorate shifts since the previous review, the likely result will be that the number of councillors will go up in some wards and down in others. In the northern part of the Highlands, the population is increasing more slowly than the population of the Highlands as a whole, particularly around Inverness. We have to reflect that in the number of councillors that we recommend and in our proposals for specific wards.

When we first looked at the matter, we considered reducing the number of councillors for Caithness and Sutherland from 14 to 11, but we listened to the responses that we received not only from councillors in the area but from the public. We recognised that that change would be too dramatic, so we now recommend that there should be 13 councillors, which would be a reduction of one councillor in that area. To put that in perspective, we recommend that the number of councillors for Inverness, which is a greater area, should increase by one.

The council will have spoken to the committee about the impact, and it is better placed than we are to make those arguments. We have to put councillors where the electorate is—it cannot be the reverse. That is the explanation for why things came out in the way that they did.

Colin Wilson might wish to add to that.

**Colin Wilson (Boundaries Scotland):** As Ronnie Hinds said, we look at the whole council area. The redesign affected Wester Ross. Wester Ross currently has about 10,000 electors but, with our boundary change at Strathpeffer, it has lost about 2,500. Therefore, about a quarter of the electorate has transferred out of the existing Wester Ross ward. If we consider the numbers and electoral parity, which is the main thing that we look at, the position has slightly improved in the Wester Ross ward.

**The Convener:** Thank you.

**Willie Coffey:** Good morning, everyone. Why were island communities impact assessments not carried out in relation to the proposals for Skye and Arran? Such assessments are required under the Islands (Scotland) Act 2018.

**Ronnie Hinds:** Again, I can respond, and Colin Wilson might add a bit more flavour.

We took advice on that question from the Scottish Government, among others, and we were told that, because the work that we were doing was being carried out under the auspices of the Islands (Scotland) Act 2018 and the whole point of it was to try to recognise the specific characteristics of island communities, a separate impact assessment was unnecessary. We set out the reasoning in our reports and on our website. We do not think that a separate assessment would have added anything to what we did, and we were following the advice that we had been given.

**Willie Coffey:** Does Colin Wilson want to comment on that?

**Colin Wilson:** I have nothing to add. Ronnie Hinds has made all the points that I was going to make.

**Willie Coffey:** You are saying that whatever might have been done by way of an island communities impact assessment had, in effect, already been done. Is that correct?

**Ronnie Hinds:** When we were asking ourselves what kind of ward boundaries we wanted for Skye and Arran, for example, we had options. Let me give an example. One of the things that we considered in relation to Skye, but which we did not propose, was that, to get better electoral parity in Skye, we could have a ward that was not just Skye but included part of the mainland. In coming to the conclusion that we did not want to have such a ward, we were undertaking, in essence, a form of island impact assessment, because our reasoning was that we wanted to respect the island as a distinct entity. We have done that with all the major islands that are part of the review. That is what I mean when I say that an impact assessment is an intrinsic part of our work.

**Willie Coffey:** I have a more general question about the geographical size of some current and proposed wards. I will use Arran as an illustration, although North Ayrshire Council is happy with the proposal for Arran. The proposal is for a single-member ward that covers 167 square miles. Just across the water, on the mainland, the Saltcoats and Stevenston ward has five councillors and covers 15 square miles. That seems to be a huge difference. Why is no consideration given to the extent of the area that a councillor must get round in order to carry out their duties?

**Ronnie Hinds:** Again, I can start by offering a couple of thoughts, but Ailsa Henderson is probably our resident expert on such matters.

The size of the area is part of our thinking, because one of the main criteria in our methodology is a measure of population sparsity. The two things are correlated: if there is a big area and a small population, sparsity is an issue. We consider size quite carefully.

More specifically, to get to the heart of what I think you are asking, we are thoughtful about how the councillors actually do their work. Obviously, technology makes a big difference these days, as we are proving right now in this meeting.

A few years ago, we carried out research on the make-up of the councillors' workloads to inform our thinking about these matters. One of the surprising and slightly counterintuitive results was that councillors spend a relatively low proportion of their time travelling in the ward or the wider council area. It turns out that they spend much more of their time dealing with the business of the council. As a former local authority chief executive, that should not surprise me.

I am not saying that the fact that people have to cover big distances is not important, but it is not as

important as we might think. Ailsa Henderson can say more about the issue of size.

**Ailsa Henderson (Boundaries Scotland):** For me, it is helpful to think about why the wards in certain areas are particularly large. One reason why we have large wards is that we have fewer councillors per voter in Scotland. In parts of the country, there are higher proportions of people who are living in small settlements, and we also have an electoral system for local government that requires multimember wards. When we add all of those things together—fewer councillors to go around, populations in smaller settlements and the need to have multimember wards—by definition almost, we will end up with the capacity to have geographically large wards in those areas where there are small portions of the population.

It is important to note that that is not particularly unusual in Europe. I know that there was a comment last week that those are the largest wards in Europe, but they are not. There are electoral systems in Norway and Sweden in which single wards are larger than an entire local authority area in Scotland. Highland Council covers 26,000km<sup>2</sup>, but there are single wards in Norway and Sweden that are 20,000km<sup>2</sup> or even 74,000km<sup>2</sup>. We are talking about a spectrum, and Scotland is not on the extreme end of it.

**Willie Coffey:** But those wards have multiple members. The ward on Arran is a single-member ward, and the principle that I thought that we had embraced involves multimember wards. Why do we not have two members for Arran?

**Ailsa Henderson:** Because there is not an electoral geography to justify a two-member ward, if we are keeping to the ratio within the council area.

I am straying into a different topic now, so I will hand back to Ronnie Hinds soon, but we were pleased to have the flexibility that was provided by the Islands (Scotland) Act 2018 and also the flexibility to have larger wards of up to five members on the mainland. When we began the consultation process with councils, we tried to make the most of that flexibility and asked the councils what they preferred. Some of them preferred island-only wards that had a smaller number of councillors, and other areas preferred different things. We very much tried to tailor our approach to what we were hearing from the councils in our iterative consultation process, but also to what we were hearing from members of the public. Different local authorities had different preferences for what they wanted, and we tried to meet those demands where we could.

**Willie Coffey:** Thank you for those responses.

**The Convener:** I would like to explore the concerns that were raised by Margaret Davidson

of Highland Council about the Aird and Loch Ness ward, which is to be split. Highland Council's view is that the areas around Loch Ness form a community because of their connection to that place, and that the proposal to split the ward would be disruptive.

11:30

**Ronnie Hinds:** I can start, but Colin Wilson will probably be able to provide more detail on the consultation process in that area.

It is worth pointing out that the existing ward was created following the previous review, so it has been around for only five years. It is not like some of the wards in the northern part of the Highlands, where we were very attentive to the comments that were made about history and tradition—it does not have those aspects.

Another point is that, although we got responses in that ward, as we did in most wards in the Highlands and in other areas, there was not, in our eyes, a voluminous response in favour of the status quo. There were voices on both sides of the argument. Against that, we looked in particular at the benefit of changing the ward with regard to the Inverness area. We tried to look at that as a whole. Colin Wilson might be able to comment on that.

In addition, one of the requirements of our work is to find easily identifiable boundaries, and I genuinely think that the middle of Loch Ness is a pretty easily identifiable boundary. There is a mixture of considerations, as there always is in reaching a judgment on such matters, but those were the factors that we considered for that ward.

**Colin Wilson:** Overall, we had about 280 responses to the public consultation. There were only 24 responses on the Aird and Loch Ness ward, so there was not strong opposition to the proposals. The boundary has been amended to create a more easily identifiable boundary, and the relevant part of Inverness is now in more of an Inverness ward. The existing ward includes a small part of Inverness and the more rural Loch Ness area.

We got some comments, which mentioned several main issues: too many councillors, with some people looking for a two-member ward; local ties being broken; and the size of wards. There were also suggestions to amend the boundary by Fort Augustus, which we did at the end of the review.

**Paul McLennan:** I will move on to the process of calculating total and ward councillor allocations. I know that Boundaries Scotland uses data for some of the councils—I know, for example, that you look at the Scottish index of multiple

deprivation, which covers income, employment, education, health and so on. I would like a bit more explanation of that practice. Is that an appropriate basis on which to compare councils? What is the thinking behind it? It obviously determines councillor numbers. I would like to know more about the criteria and how you arrived at the calculations.

**Ronnie Hinds:** Again, Ailsa Henderson is more of an expert on that than I am, but I can offer a couple of preliminary thoughts while she gathers hers.

Before the previous set of reviews, we revised our methodology fundamentally and brought in the SIMD data. Part of the thinking behind that, which is relevant to some of the discussion this morning, was that we felt that, prior to that, the only criterion that we were working with was to do with population sparsity and density. Although that is important, the everyday reality of electing, and being represented by, councillors involves a lot of other social and economic factors. We felt that those elements were missing from the discussion, so we brought them into what is now a combined, and fairly complex, methodology that tries to reflect those different realities.

It is not just about how easy it is to manage the geography, whether that is in a city or a rural area; it is also about the nature of the work with which councillors are confronted. We felt that that was relevant to how we come up with councillor numbers as part of our overall ward design work.

That is the general background. As I said, Ailsa Henderson will be able to articulate the position better than I can.

**Ailsa Henderson:** It is nice to be able to chat about the methodology and to explain what we were thinking at the time and the effect of the changes.

When we began the fifth reviews, we had consultation evidence from the reaction to the fourth reviews. It showed that people were broadly supportive of categorising councils—which was also reflected in the evidence last week—but that they wanted a reduction in the number of categories from the seven that we had before and a reduction in the range of ratios of electors to councillors. They wanted a narrower range and a more equal system across Scotland as a whole. At the same time, as Ronnie Hinds explained, we were aware not only that we were counting things twice but that the Scottish Government had started using different methods to categorise councils.

We therefore made two changes. We had a measure relating to the size of the settlement that people live in, which used to be the proportion of the electorate living in settlements with a population of 10,000 or less. We brought that

down to those with a population of 3,000 or less, because we thought that the focus should be more on smaller settlements and that we should be more sensitive to rural geographies.

The second change that we made was to use the SIMD, which includes data on income, crime and housing but also on how people access Government services. Given that we are supposed to devise boundaries with an eye to effective and convenient local government, we also wanted to include something that directly targets the extent to which people use certain services and how they access them. That includes travel time to different services by private car and by public transportation. We used those two things as two different axes to categorise the councils and ended up with five categories, so councils are categorised as “more rural, more deprived”, “more rural, less deprived” and so on. There are different cut points across those axes.

Having categorised the councils, we sat down and tried to sort out what ratios we could use that would create a more equal system across Scotland as a whole and would deliver roughly the same number of councillors. Although we were not stuck to a specific number, we did not have any guidance to radically change the system of local government in Scotland, so we tried to end up in roughly the same place. We calculated the numbers that gave us a certain number of councillors and took into account the minimum and maximum size of councils. The minimum was 18 and the maximum was 80. However, we lifted the maximum a little bit to 85, because Glasgow was predicted as needing about 165 councillors. We also imposed a 10 per cent cap on change to minimise disruption for councillors.

We used those council numbers as a guide—I am so excited about methodology, which is why I keep talking about it—and if we were able to get what we felt was a better ward design by moving the numbers around and increasing councillor numbers, we went with the higher numbers. We were not hidebound by a mathematical formula that gave us a number from which we refused to deviate.

The inclusion of data on deprivation does not bounce the numbers around very much. If we had used the old criteria and the two things that we looked at, we would have ended up in roughly the same place in terms of councillor numbers: 17 councils would have had exactly the same numbers if we had used the old methodology, including all six council areas that we reviewed under the Islands (Scotland) Act 2018.

**Paul McLennan:** Thank you for that extensive answer.

**The Convener:** Yes—thank you, Ailsa. You are getting me excited about methodology, too.

I have a supplementary question. Your work was carried out primarily before Covid. Although I do not know the specific numbers, now that we can work remotely, we have had the news that a lot of people are choosing to move to the Highlands. Should we be aware that populations will change?

**Ronnie Hinds:** That is a great question. In relation to Covid, it is worth mentioning that, under the legislation, we have the power to carry out interim reviews. The legislation has been designed to provide for the possibility of unusual fluctuations in population, primarily within a council area. It might be 10 to 15 years before a full review is due, but we can carry out an interim review that looks at only part of a council area, or even a particular ward. In relation to our resilience against the effects of Covid on the factors that influence our work, that is the power that we would turn to.

The Culloden and Ardersier ward in the Highlands is a good example of that. The projections for the increase in population there were quite dramatic because of developments that you will know far more about than I do. However, when we looked at the numbers over the past few years, we came to the view that the trajectory on which the population was increasing did not match the forecast that would have led to a significant increase in the electorate and, therefore, in councillor numbers. We decided that Covid might have had something to do with that. Even though work was in progress, development had stalled, so we decided that the safer thing to do was to leave the ward as it is. However, it will definitely be a candidate for an interim review if the council's projections for the increase in population in the area are borne out in fact. We are not prevented from doing something about that in the short to medium term.

**Meghan Gallacher:** Would having variations in the councillor-to-voter ratio impact on effective and convenient local government? We have touched on the size and scale of wards, but my question is about the benefits to communities of having a similar councillor-to-voter ratio across all wards.

**Ronnie Hinds:** Ailsa Henderson and I can perhaps do a double header on that question, too. I will kick off.

The thrust of the question is about how much importance should be attached to parity alongside other considerations. My view and the view of the commission is that parity is paramount for a reason. It is not a numbers game, but that is sometimes how it is dismissed by people; it is about electoral fairness, which is fundamental. The legislation is intended to create a system in

which, as far as possible, every vote counts equally within a given council area. That principle needs to be enshrined and respected, so that is what we try to do.

However, we are not enslaved by that, which is why we are able to make good use of our other discretions. We have mentioned some of those—the main one relates to special geographic circumstances. You can see from our proposals for Highland Council and Argyll and Bute Council that we are prepared to tolerate quite significant variations from parity in order to respect other factors, including community identity and the specific characteristics of islands. The fact that parity holds everything together does not mean that we are restricted to only a numbers game. That is important.

I will quickly make one other observation. If we took at face value and did what Highland Council has asked for in the review—different ratios within a council area to demonstrate that parity is not the be-all and end-all—the result would be that the four most northern wards in the Highlands, which have some of the most sparsely populated communities, would have 37 councillors. That is what would happen if there were the same ratios as used for the islands, which is what Highland Council has asked for. That demonstrates that parity matters, because, in a council with 74 members, it does not make sense for half of them to come from the most sparsely populated area.

It is not an abstract or theoretical issue; it is quite practical. We are careful about getting anywhere close to a position in which one area might feel genuinely underrepresented compared with another, so we use our discretion in relation to special geographic circumstances.

**Ailsa Henderson:** Do you want me to chip in as well?

**The Convener:** Yes.

**Ailsa Henderson:** It is worth pointing out that the legislation requires the ratios of electors to councillors to be as near to the same as possible. The legislation not only requires us to pay attention to parity—which is elsewhere in the schedule 6 rules—but is based on the notion that electoral parity is a fundamental feature of how we distribute councillors and design wards. That is not just a quirk of the legislation in Scotland; it is a fundamental principle of electoral fairness in free and fair electoral democracies.

11:45

The European Commission for Democracy through Law—or the Venice commission—was set up in 1990, and it has 60 to 62 members. The UK is a member of that commission. In 2002, the

commission outlined what it thought was best practice in designing electoral wards. It said that three things were important: the equality of the vote, the impartiality of the decisions and, specifically, the role of a committee where the role of parties is limited. We cannot have the people who are going to be elected by certain rules setting the boundaries by which they will be elected. They have to be one step removed from that.

The commission was clear about equality of the vote. The departure from the norm should not be more than 10 per cent and never over 15 per cent, except in particular and very specific circumstances, such as a demographically weak area that does not have a large population and has to have a single member. That would be akin to the protected constituencies in Westminster elections, such as the Western Isles.

Not pursuing electoral fairness and equality of the vote is known as malapportionment. There can be passive and active versions of that. There can be active malapportionment if the boundaries do not take account of equality of the vote from the day on which they were drawn. Passive malapportionment means that, over time, certain areas come to be much more underrepresented or much more overrepresented if adjustments are not made.

We use 10 per cent as a guide. We deviate significantly from that when we think that special geographic circumstances warrant it. However, the rule for Westminster constituencies is 5 per cent. When the Public Administration and Constitutional Affairs Committee was doing a review of that, it had research that said that 8 per cent would do and that there was no need to relax that to 10 per cent. A fairly common band is used across advanced industrial democracies.

**The Convener:** Does Meghan Gallacher want to follow up on that?

**Meghan Gallacher:** No. Ailsa Henderson has covered my follow-up question.

**The Convener:** Okay. Great.

**Miles Briggs:** I want to return to points that the convener has already raised about our correspondence and evidence session with Councillor Margaret Davidson. She told the committee that there was a good initial conversation between the council and Boundaries Scotland, but much of what the council relayed to the commission during the early conversations was not taken on board when the proposals were drawn up. We have already heard concerns with regard to Sutherland, Wester Ross and the Loch Ness communities. How were those concerns taken on board? What community engagement



took place? How do you respond to the specific concerns that Highland Council expressed?

**Ronnie Hinds:** Ailsa Henderson can help with that, because she attended the initial meeting with the council. We probably have to focus on that in order to respond to your question.

I emphasise that we took the same approach with Highland Council that we took in the other pre-review meetings. Members have heard accounts from the other councils about how they welcomed the approach that we took; I think that they characterised it as being open. We were clear about the legislation and our methodology, but we said that we were more than willing to be flexible on the specifics of ward design and councillor numbers. We took exactly the same approach with Highland Council as we took with the other councils, and the same commission went to it. The difference is in the interaction with Highland Council.

We also said that, because we had the time to have a pre-review before we got into the formal statutory consultation, we really wanted to hear councils' ideas but, obviously, they had to be within the bounds of what we were capable of acting on. That approach was welcomed by the others, and they took advantage of it. Members have heard examples—there are the examples of Gulberwick on Shetland and Stromness on Orkney, where our initial proposals did not find favour, but a dialogue with the council, and with others, which the council facilitated, was enough to enable us to see a different point of view and come to a different decision.

I think that that sort of thing has been largely absent from our dealings with Highland Council—indeed, that was the case right from our first meeting, which, as I have said, I did not attend. Ailsa Henderson might want to give a flavour of that and perhaps give you a different picture to the one that you got last week.

**Ailsa Henderson:** I was at the first meeting in Inverness at which we outlined what had changed, as a result of our being required—or our having the opportunity—to make changes under the legislation. However, it was clear from that very first meeting, at which largely councillors rather than administrative officers were present, that they were annoyed with our proposals from 2017. They were quite frank in admitting that they had lobbied the minister to reject them and told us that they were annoyed that he had not done so; they also made it clear that they welcomed an enhanced role for Parliament, because it provided them with an opportunity to engage in lobbying once our proposals were out there.

It did not occur to me at the time but, in retrospect, given what has happened, it appears

that their minds were made up before we had even begun. That is borne out by two things. First, we were repeatedly asked by Highland Council to do things that we are not allowed to do under the legislation. From the off, the council wanted completely different ratios in a council area. In fact, it was not just that that it wanted—it wanted a ratio that would specifically be set aside for the Western Isles, Orkney and Shetland and one that was designed to facilitate a minimum council size of 18. It was not a ratio put in place by virtue of the area in question being an island but a ratio deemed appropriate and necessary to end up with, as I have said, a minimum council size of 18.

Secondly, when I participated in meetings in Argyll and Bute, the council facilitated our engagement with different planning groups and community councils. Even during the pandemic, when we were all working from home, we were having online meetings with community councils in Argyll and Bute. That facilitated access just did not occur in Highland. That access was really valuable to us, because it allowed us to understand the trade-offs that people think they are working with and what side of the trade-off they come down on.

We were very consistent in our approach and followed the principles of flexibility. Moreover, the time that we were given to engage in enhanced consultation was something that we did not have when we reviewed all 32 councils at once. We really welcomed the opportunity to talk to people at a far slower pace and with far greater engagement, and we were really disappointed when that did not happen with Highland Council.

**Miles Briggs:** You touched on your work during the pandemic, which has impacted every organisation. We are still feeling the impacts today—indeed, you are having to give evidence remotely. Has your work been constrained by time, given the fact that the Government has asked for proposals to be introduced before next year's council elections? Has the pandemic impacted on your ability to really find out the views of communities? Have communities really been engaged in the work over the period?

**Ronnie Hinds:** That is a really good question. I genuinely do not think that our work has been constrained or impacted on. None of us would have wished this state of affairs upon ourselves, but I do not think that we have been significantly impeded. We have still been able to do some of the more difficult things that Ailsa Henderson touched on such as community consultation through the medium that I am speaking to you on; indeed, that had some benefits with which we are becoming all too familiar with. I therefore cannot honestly say that it has made a major difference.

As it happens, the period of the reviews straddles the period before and during Covid. We

all look back fondly to those earlier meetings when we were able to get round a table with people in areas such as Shetland, but our work was not impeded in Argyll and Bute, which has all sorts of geographical challenges, even when you can physically attend the meetings.

When I reflect on the way in which we have been able to consult and, as Ailsa Henderson said, on councils' willingness to go out of their way to make it possible for us to do that in these difficult circumstances, I do not think that we could have done it any better. I do not think that we lost an awful lot and, where we lost anything, it was because it was not possible for us to find a way of getting round the digital table with communities or community councils in the greater Highland area.

**The Convener:** I am a Highlands and Islands MSP and we are talking about five of the local authorities in that region. One of the big issues that people raise with me all the time is repopulation and re-peopling. There is a concern about the idea of changing the boundaries. I know that you have flexible restrictions on the criteria that you had to work with, which is what you have been talking about. However, what will happen if we start to move the representation in Highland towards Inverness and pull it away from the areas that we are desperately trying to repopulate and where we are trying to get more people to live? What are your thoughts on that, if you can give them?

**Ronnie Hinds:** Yes, I think we can. It is important to get perspective on that. The net result of our recommendations on councillor numbers for Highland Council is that they would reduce by one. I struggle to regard it as a significant impact on effective and convenient local government to go from 74 to 73 councillors. However, your question is more about the distribution within the area. In the four most northern wards, the net effect would be a reduction of one in the current number of councillors. By contrast, in the greater Inverness area, the net effect would be an addition of one. Those numbers do not look excessive to me. Change is inherent in the idea of a review, but that is hardly a dramatic change.

We have to seek to place representation where the population and the electorate are. There is no way that you can put councils in an area where there is no electorate and expect that the electorate will somehow follow them. It will not work like that; it is the other way round. In fact, all four of the areas to the north are overrepresented compared with the rest of Highland. We are cognisant of the importance of ensuring that there is no problem with representation in highly rural areas such as that and other parts of Highland.

I use that as an example to demonstrate that it is not about the councillor numbers, but about the

proportions measured against parity. Against parity, there is significant overrepresentation and there still would be under our proposals for that part of the council area. We think that that is perfectly right.

**The Convener:** Thank you for that, Ronnie. We have given a lot of attention to Highland; I will give a little bit more attention to Argyll and Bute. You have probably already touched on this issue but I will ask the question. I believe that one of the proposed wards for Argyll and Bute Council is Mull, Coll and Tiree. The proposal is for a three-member ward, and because there is a larger population on Mull, all the councillors might end up being from there. However, there is no direct ferry service—there is no way to get to Coll and Tiree directly—so people would have to go through Oban to get back out to those islands. There is concern about that. I think that there was something in the criteria about a link within the wards.

**Ronnie Hinds:** We are very aware of that issue, too. The status quo is a mainland-island ward. That hybrid arrangement respects connectivity. However, considering what we were empowered to do under the Islands (Scotland) Act 2018, it would have been remiss of us not even to have considered the possibility of grouping islands together separately from the mainland. That seems to us to be part of the main policy thrust of the legislation. In doing that, we have to weigh in the scales that set of considerations against the physical connectivity argument. It is not an easy judgment to make.

On balance, we took the view that having a dedicated ward for island communities to try to recognise the identity in that grouping of islands and the one further to the south in Argyll and Bute was in keeping with the spirit of the legislation. Although there were views on either side in the responses to the consultation, by and large, people were in favour of trying to do that. The connectivity argument matters but it did not seem to be a be-all and end-all for a significant number of the people who responded to us. That is one thing that we would want to keep an eye on and on which we would liaise with Argyll and Bute Council to see whether it made a significant difference.

12:00

**The Convener:** At last week's meeting, we heard that there is an historical identification with that connectivity: people come from the islands and connect to Oban. They like that. It is interesting that that did not come up when you sought views on the matter.

If the Parliament were to reject one or more of the regulations, what would Boundaries Scotland do next?

**Ronnie Hinds:** It is not entirely clear what we could do. It is clear what we could not do, because there would not be time to carry out a full review of a whole council area ahead of the elections that are scheduled for next year. That would mean that a given area would go into those elections with the current form of representation that they got through the previous reviews. For some, that might not be such a difficulty—that would not change anything at all for Orkney, for example. However, the proposed changes are significant in Highland in particular, as well as in Argyll and Bute. The levels of disparity in those areas do not serve the electorate well and it would be a mistake to allow that to prevail for the coming elections.

The main point is that we could not do anything in advance of the elections. That would be the price of rejecting the regulations. What happens after that would be new ground for all of us. We are not entirely sure about that, but the commission stands ready to act on instructions from ministers and, ultimately, the Parliament about what has to happen following the reviews that we have just completed.

**The Convener:** That is the end of our questions. We very much appreciate you coming along, sharing the work that you have been doing and getting us excited about methodology. Thank you so much for being with us.

We will take the next two items in private.

12:02

*Meeting continued in private until 12:49.*



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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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