



Consultation on the Community Empowerment (Scotland) Bill

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

West Dunbartonshire Council

Title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ **Please tick as appropriate**

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3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☒

Please tick as

- (a)** Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☒ **Yes** ☐ **No**

- (b)** Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

- (c)** The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

☒ **Yes** ☐ **No**

Yes, make my response, name and address all available	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	or
Yes, make my response available, but not my name and address	<input type="checkbox"/>
	or
Yes, make my response and name available, but not my address	<input type="checkbox"/>

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?
- Please tick as appropriate ☒ Yes ☐ No

3. Please indicate which category best describes you or your organisation (Tick one only). If you are a representative or umbrella body, please tick the category you represent.

Community organisation	<input type="checkbox"/>
Third sector / equality organisation	<input type="checkbox"/>
Private sector organisation	<input type="checkbox"/>
Representative body for professionals	<input type="checkbox"/>
Local government	<input type="checkbox"/>
Community Planning Partnership	<input checked="" type="checkbox"/>
Public Body, including Executive Agencies, NDPBs, NHS etc	<input type="checkbox"/>
Academic or Research Institute	<input type="checkbox"/>
Individual	<input type="checkbox"/>
Other – please state...	<input type="checkbox"/>

Consultation on the Community Empowerment (Scotland) Bill

Response Questionnaire

Chapter 3 - Proposals with draft legislation

Please read the draft Bill provisions before you answer these questions. You do not need to answer all the questions in this questionnaire, only answer the questions that you have an interest in. Separate questionnaires are provided for each chapter of the consultation paper.

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3.1 Community Right to Request Rights in Relation to Property

Please read Part 1 of the draft Bill (Annex C pages 1 to 9) before you answer these questions:

- Q1 Do you agree with the definition of community body at section 1?
Yes ☐ No ☒
- Do you have any changes to suggest?

The definition is too wide – it should be restricted to registered and identifiable Community Groups and Councils.

The two different definitions of “Community body” in Part 1 and Part 2 of the Consultation draft could lead to confusion and problems in applying and interpreting the Act.

- Q2 Do you agree with the list of public bodies to be covered in this Part at Schedule 1 (Annex C page 21)?
Yes ☒ No ☐
- What other bodies should be added, or removed?

Regional Transport Partnerships could be added (unless these have been deliberately excluded).

- Q3 What do you think would be reasonable timescales for dealing with requests, making an offer and concluding a contract, in relation to sections 5(6), 6(2)(c) and 6(6)?

5(6) – If a request is received there is no mechanism for consultation with other interested community groups who may have an equally valid proposal that could be better placed to serve the Community generally
6(2)(c) – the bill sets out an unreasonable time delay in any group coming forward with a firm proposal. Six months with options to extend under clause

7 & 8 restricts unreasonably the time that the local authority has to hold the property available for the group and denying the authority a valid receipt.
6(6) – six months reasonable to conclude transaction. Although if this is not possible then progress can be reviewed and updated at this stage.

Q4 Do you agree that community bodies should have a right of appeal to Ministers as set out in section 8?

Yes ☐ No ☐

Are there other appeal or review procedures that you feel would be more appropriate?

The timescales set out seem reasonable. Difficult to comment from a CPP perspective, it is of no relevance to WDC as a local authority as local authority decisions cannot be appealed as presently drafted (but we could still be subject to judicial review).

Q5 What form of appeal or review processes, internal or external, would be appropriate in relation to decisions made by local authorities and by Scottish Ministers?

There should be no right of appeal/as any decision would already be taken by elected members within the local community.

Judicial review
Sheriff Court (if error in law)

Q6 Do you have any other comments about the wording of the draft provisions?

In general, as far as the proposed legislation is concerned we support the measures which put more responsibilities on us in relation to openness and transparency around Asset Transfer. This could provide an opportunity to streamline processes. Further development work is required on how to involve other community groups in the process.

The National Park Authority has assisted many community-led bodies to take on assets and have assisted with capacity building so they are managed effectively. Experience has demonstrated that it is very important that the individual members of the community body have appropriate skills, training and legal security, particularly when large capital projects and investments may be required

Can Community Councils be included in the definition of a Community Body to allow them to make asset transfer requests?

Section 2 (3) (a): can a definition be provided of “part of the Scottish Administration”? Is this wider than Scottish Government as “Scottish Administration” is not defined.

- Q7 What costs and savings do you think would come about as a result of these draft provisions? Please be as specific as you can.

The proposals will add significantly to the time and cost any transaction or process takes.

Where a community group take over full maintenance responsibility for former Council land/buildings then savings will be made.

3.2 Community Right to Request to Participate in Processes to Improve Outcomes of Service Delivery

Please read Part 2 of the draft Bill (Annex C pages 9 to 14) before you answer these questions:

- Q8 Do you agree with the definition of community body at section 11?
Yes ☒ No ☐
Do you have any changes to suggest?

Why does the definition differ from that at Part 1?

- Q9 Do you agree with the list of public bodies to be covered in this Part at Schedule 2 (Annex C page 21)?
Yes ☒ No ☐
What other bodies should be added, or removed?

Scottish Regional Transport Partnerships could be added.

- Q10 Do you agree with the description at section 13 of what a participation request by a community body to a public service authority should cover?
Yes ☐ No ☐
Is there anything you would add or remove?

Given the size and breadth of public services provided by the local authority, for this and below it would be helpful to have a clearer description of what types of things would qualify as 'participation requests'. The definition of a participation request at 13 and the regulations at 14 may not result in the necessary information to make the decisions on the basis of the points (a) – (f) at 15 (3).

- Q11 Do you agree with the criteria at section 15 that a public service authority should use when deciding whether to agree or refuse a participation request?
Yes ☐ No ☐
Are there any other criteria that should be considered?

See above

Q12 Do you have any other comments about the wording of the draft provisions?

The idea of community bodies participating in outcome improvement processes is potentially an interesting development. The general aims are admirable, but the legislative processes suggested look complicated.

The various processes suggested i.e. consultation, reporting, publication etc appear onerous and may present difficulties in timeous delivery given that each request may potentially involve staff from many different sectors of the local authority. Aspirational but may be difficulties in practical implementation.

Q13 What costs and savings do you think would come about as a result of these draft provisions? Please be as specific as you can.

Costs of putting together relevant teams of officers to deal with such requests and time spent dealing could have substantial resource implications.

3.3 Increasing Transparency about Common Good

Please read Part 3 of the draft Bill (Annex C pages 14 to 16) before you answer this question:

Q14 Do you think the draft provisions will meet our goal to increase transparency about the existence, use and disposal of common good assets and to increase community involvement in decisions taken about their identification, use and disposal?

Yes ☐ No ☒

What other measures would help to achieve that?

There will be a significant time and cost implication should the authority have to consult with "any community body of which the authority are aware" and how does the authority identify which groups they are aware of. It would be better if there was a requirement for community bodies to register with the authority in order that they can be consulted. As drafted it leave it open to regular claims from new or spurious groups to invade the process.

The authority is required to produce and publish a list of Common Good Assets, but there is no guiding definition of what a Common Good Asset is.

In terms of disposals there is a challenge for the authority to ensure they have notified all interested parties or groups if there is no requirement to maintain a register of community groups.

In terms of section (6) of Clause 24 further consideration and guidance is required to determine what the authority “ must have regard to” in the sub clause .

There has been a missed opportunity to define and review what the extent of “Common Good” assets are and there could have been a mechanism to simplify the process for the general management, disposal and use of these assets.

With reference to consulting with “any community body of which the authority are aware”- which definition applies, Part 1 or Part 2? (See response above to Q’s 1 & 8).

Each local authority has an obligation to maintain a Register of common good assets. How definitive is that Register in law as regards the legal status of properties on the list?

The draft omits any rights for the public to challenge either inclusion or exclusion of properties from the local authority Register.

3.4 Defective and Dangerous Buildings – Recovery of Expenses

Please read Part 4 of the draft Bill (Annex C pages 17 to 19) before you answer these questions:

Q15 Do you agree that the cost recovery powers in relation to dangerous and defective buildings should be improved as set out in the draft Bill?
Yes ☒ No ☐

Q16 Do you agree that the same improvements should apply to sections 25, 26 and 27 of the Building (Scotland) Act 2003?
Yes ☒ No ☐

Other comments:

The proposals contained within section 27 of the Draft Bill at Annex C of the consultation to amend the Building (Scotland) Act 2003 to introduce a Notice of Liability process to assist in the recovery of expenses incurred by local authorities in dealing with enforcement issues within the Building (Scotland) Act 2003 is welcomed. However we must point out, although we are sure that the Scottish Government will be aware, that such proposals have broadly the same aim as those contained within the proposed Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill (by David Stewart MSP) which is also currently open for consultation; albeit that the members bill aims to introduce a Charging Order process rather than a Notice of Liability process.

While recognising that both bills are different and the exact detail differs, there are nonetheless similarities between both bills and it would appear to us that if at all possible then the opportunity should be taken to only introduce 1 proposed measure to assist local authorities at this time. In isolation we support the aims of both bills

regarding recovery of expenses. We have no overall preference as to whether notice of liability or charging orders are introduced but would welcome that at least one of the proposed measures be introduced.

While the exact details do differ in some respects (e.g. flexible time period for repayment under notice of liability process v's 30 year fixed period under charging order process) it appears that if common ground can be found, it would be worthwhile that one of the proposed bills as currently drafted be amended to reflect this, with the other being amended to deleting common provisions.

While the notice of liability (or charging order) process would be welcome it should be recognised that local authorities would still require to access funds at the time of carrying out works in order to pay the expenses that have been incurred (including costs incurred by contractors engaged by the local authority to rectify the danger/defect). As repayment of these expenses from the building owner(s) can be many many years after the time of placing a notice of liability or charging order, local authorities would have to absorb such costs until such time as it was repaid. The provision of a national fund allowing local authorities who are carrying out work to draw money from to remedy defective/dangerous buildings would provide local authorities reassurance that they could arrange to carry the work out at the time and importantly within current budgets, with the national fund being reimbursed once the charging order or notice of liability is repaid/discharged and we would ask that consideration be given to such a scheme.

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Chapter 4 - Detailed Policy Proposals

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4.1 Improve and extend Community Right to Buy

- Q17 The Scottish Government proposes to extend right to buy to communities in all parts of Scotland, where the Scottish Government is satisfied that it is in the public interest. Do you agree with this proposal?

Yes ☐ No ☐

Are there any additional measures that would help our proposals for a streamlined community right to buy to apply across Scotland?

There is general concern that authorities have historically provided resource where there has been a general market failure to deliver in the community. If the resources are exploited by individual groups to the exclusion of others then further failures may be experienced and authorities will have to re-provision the resource. There have been large subsidies generally to the facilities historically and how are existing community groups to succeed in generally deprived areas.

- Q18 Do you think that Ministers should have the power to extend “registrable” land” to cover land that is currently not included as “registrable land”?

Yes ☒ No ☐

What other land should also be considered as being “registrable”?

This should be driven by interest from the community

- Q19 Do you think that there should be a compulsory power for communities to buy neglected or abandoned land in certain circumstances?

Yes ☐ No ☒

What should these circumstances be?

The power of CPO is generally well founded with authorities and who could if requested by communities promote such powers on communities behalf – subject to the community demonstrating that they had the resources and mechanisms in place to complete the purchase.

A compulsory power for communities could be given where properties left unoccupied for at least 5 years and no similar property is available for that community on the market.

- Q20 How do you think this should work in practice? How do you think that the terms “neglected” and “abandoned” should be defined?

Neglected – failure to maintain to a specified standard within specified timescale

Abandoned – failure to respond a specified time scale to any repair notice or order.

- Q21 Do you think that the criteria to be met by a community body in section 38(1) of the Act are appropriate?

Yes ☐ No ☐

Do you think that there should be additional criteria? Please set out what changes or additions should be made to the criteria.

- Q22 Do you think that the information that is included in the Register of Community Interests in Land is appropriate?

Yes ☐ No ☐

If not, what should that information include?

Reference to the Land/Sasine registers should be made

- Q23 How could the application form to register a community interest in land be altered to make it easier to complete (eg, should there be a word limit on the answers to particular questions)?

Should the questions be more specifically directed to the requirements of sections 36(2) and 38(1) of the Act?

Yes ☐ No ☐

Do you have any other suggestions?

- Q24 Do you agree that communities should be able to apply to register an interest in land in cases where land unexpectedly comes on the market and they have not considered using the community right to buy?

Yes ☒ No ☐

If so, what changes should be made to section 39 to ensure that such communities can apply to register a community interest in land?

- Q25 Do you agree that the process to re-register a community interest should be a re-confirmation of a community interest in land?

Yes ☒ No ☐

- Q26 Do you think that the community body should be asked to show that its application is (1) still relevant, (2) has the support of its “community”, and that (3) granting it is in the public interest?

Yes ☒ No ☐

- Q27 What do you think should be the length of the statutory period for completing the right to buy, taking into account both the interests of the landowner and the community body? Please explain the reasons for your proposal.

As this is a statutory process imposed on the owner the timescales should be kept to a minimum.

Suggested timescale of 6 months is equitable to both parties.

- Q28 Do you think that some of the tasks within the right to buy (such as valuation, ballot etc) should be rearranged and the timescales for their completion changed in order to make the best use of the time available within the right to buy? Please set out what changes you think should be made and why.

Q29 Do you agree that Scottish Ministers should organise the undertaking of a community body's ballot and pay its costs.?

Yes ☒ No ☐

If you disagree, please provide your reasons.

Scottish Government should organise and community bodies pay costs

Q30 Should Scottish Ministers notify the ballot result to the landowner?

Yes ☒ No ☐

Please explain your reasons.

Improves transparency of process and illustrates Scottish government impartiality in the decision making process.

Q31 Do you think Ministers should develop a pro-forma for community bodies to set out their plans for the sustainable development of land and community?

Yes ☒ No ☐

Please give reasons for your view.

Provide a consistent approach to applications across Scotland.
Allows for independent monitoring of process.

Q32 Do you agree that community bodies should be able to define their "community" in a more flexible way by the use of either postcodes, settlement areas, localities of settlements, and electoral wards, or a mixture of these, as appropriate?

It would be better if there were agreed definition of communities with established boundaries to avoid overlaps and duplications of groups.

Q33 Are there any other ways that a "community" could be defined?

Utilise a better coordination of community councils

Q34 Do you agree that other legal entities in addition to the company limited by guarantee should be able to apply to use the community right to buy provisions?

Yes ☒ No ☐

Q35 Do you agree that SCIOs should be able to apply under the provisions?
Yes ☒ No ☐

Q36 What other legal entities should be able to apply under the community right to buy provisions – and why?

Other group to consider - Trusts

Q37 Do you agree that Ministers should only have to “approve” the changes to Articles of Association for community bodies that are actively seeking to use or are using the community right to buy?
Yes ☐ No ☒

Q38 Do you think that the length of a registered interest in land should remain as five years or be changed? If it should be changed, how long should it be – and what are your reasons for making that change?

Remain at 5 years

Q39 Do you agree that the valuation procedure should include counter representations by the landowner and community body?
Yes ☒ No ☐
If you disagree, please give your reasons for your decision.

Q40 Do you think that there should be a provision to deter landowners from taking the land off the market after they have triggered the right to buy?
Yes ☐ No ☒
Please explain your reasons.

Market conditions and circumstances change and the landowner should have the right to determine when to bring the property to the market.

This might cause potential problems with the European Court of Human Rights in terms of regulation of ownership of property rights.

Q41 Do you think that there should there be greater flexibility in a community body’s level of support for a right to buy in the ballot result than is currently permitted?
Yes ☒ No ☐

- Q42 Do you think that the ballot result should focus on a sufficient amount of support to justify the community support to proceed with the right to buy the land?

Yes ☒ No ☐

If yes, please explain how secured community support should be measured

The process should be flexible to accommodate the community

- Q43 Do you agree that community bodies should be able to submit evidence to Ministers in support of their ballot result where they believe that their ballot has been affected by circumstances outwith their control?

Yes ☒ No ☐

- Q44 Do you think that Scottish Ministers should be able to ask community bodies for additional information relating to their right to buy "application" which Ministers would then take into account in considering their right to buy "application"?

Yes ☒ No ☐

Please explain your reasons.

Further clarity may be required to the community groups business case to ensure consistency when dealing with applications Scotland wide.

- Q45 Do you think that Ministers should be able to accept an application to register a community interest in land which is subject to an option agreement (on part or all of the land)?

Yes ☒ No ☐

- Q46 If there is an option agreement in place, do you think that the landowner should be able to transfer the land as an exempt transfer while there is a registered interest over that land?

Yes ☐ No ☒

Please explain your answer.

It would be pointless registering an interest otherwise.

- Q47 Do you think that the prohibition on the landowner from taking steps to market or transfer the land to another party should apply from the day after the day on which Ministers issue the prohibition letter rather than the day when the owner/heritable creditor receives the notice?

Yes ☐ No ☒

Please explain your answer.

It would be unfair to Landowner/heritable creditor, as if they are unaware it might not be ECHR compliant.

- Q48 Do you agree that public holidays should be excluded from the statutory timescales to register a community interest in land and the right to buy?

Yes ☒ No ☐

- Q49 Do you agree that where a landowner makes an "exempt" transfer, this should be notified to Scottish Ministers?

Yes ☒ No ☐

If you disagree, please provide reasons for your decision.

- Q50 Do you agree that community bodies and landowners should notify Scottish Ministers of any changes to their contact details (including any registered office)?

Yes ☒ No ☐

- Q51 Do you think that Ministers should monitor the impact of the community right to buy?

Yes ☒ No ☐

How do you think that monitoring should be undertaken and what information should Ministers seek?

Regular returns should be submitted by community groups to Scottish Government.

Should the monitoring process be a statutory requirement, including provisions for reporting?

Yes ☒ No ☐

4.2 Strengthening Community Planning

- Q52 What are your views on our proposals for requiring a CPP to be established in each local authority area, and for amending the core statutory underpinning for community planning to place stronger emphasis on delivering better outcomes??

The requirement to establish a CPP in each LA area makes sense and same for stronger emphasis on delivering outcomes. We would be

supportive of this proposal as it would strengthen the role of community planning and reflect the direction of travel since the review of community planning and the Statement of Ambition published in 2012.

- Q53 What are your views on the core duties for CPPs set out above, and in particular the proposal that CPPs must develop and ensure delivery of a shared plan for outcomes (i.e., something similar to a Single Outcome Agreement) in the CPP area?

We would be supportive strengthening the focus on outcomes and building on the developments achieved via SOAs, rather than having a separate outcome-based plan. These developments are mostly in line with the current direction for community planning as outlined in the Statement of Ambition and revised SOA guidance in 2012, and developments with the National Community Planning group.

- Q54 Do the proposed duties of the CPP support effective community engagement and the involvement of the third and business sectors?

Yes ☒ No ☐

What other changes may be required to make this more effective?

There should be a clear direction for each CPP to have an engagement plan in place that links to SOA outcomes. This would make it transparent and encourage better buy in to joined up approaches to community engagement.

- Q55 How can we ensure that all relevant partners play a full role in community planning and the delivery of improved outcomes in each CPP area? Do the proposed core duties achieve that?

Yes ☐ No ☐

What else might be required?

The core duties create the environment for ensuring relevant partners play a full role in community planning. However this has to be effectively managed and monitored.

In West Dunbartonshire, partners are working closely to implement the new community planning framework. Partner plans and strategies are linked to the Single Outcome Agreement and reported to the CPP Management Group

- Q56 What are the respective roles of local elected politicians, non-executive board members and officers in community planning and should this be clarified through the legislation?

Council Leaders, senior politicians, chief officers of the individual partners should all play an active role in the senior local community planning structure.

This should be clarified through guidance rather than legislation.

- Q57 Should the duty on individual bodies apply to a defined list of public bodies – if so, which ones? Or should we seek to take a more expansive approach which covers the public sector more generally?

The duty on individual bodies should apply to a comprehensive defined list of key public bodies. The Scottish Fire and Rescue Service has suggested that, as 2 of the 3 emergency services have a duty to participate in Community Planning, the Scottish Ambulance Service should also be added to provide an overarching picture of people affected by emergencies within the community.

Also could add Regional Transport Partnerships for transport issues.

- Q58 Local authorities are currently responsible for initiating, facilitating and maintaining community planning. How might the legislation best capture the community leadership role of Councils without the CPP being perceived as an extension of the local authority?

The key legislative and policy change required is not to strengthen local authority's leadership role. It should be to strengthen the active commitment and participation of other public bodies.

- Q59 How can the external scrutiny regime and the roles of organisations such as the Accounts Commission and Auditor General support the proposed changes? Does this require changes to their powers or functions?

Existing powers of scrutiny for these bodies are adequate to deliver effective functions.

By monitoring the outcomes and meeting the outcome targets.

- Q60 What other legislative changes are needed to strengthen community planning?

No comment.

4.3 Allotments

- Q61 Do you agree with the proposed definition of an allotment site and allotment plot?

Yes ☐ No ☒

How else would you suggest they be defined?

Leasing of allotments to families would potentially clog up the waiting list, allotments are constantly handed down through the generations.

- Q62 In order to include all existing allotments in the new legislation they must fit within the size range. What is the minimum and maximum size of one allotment plot in your area/site?

Minimum size 50m² – maximum size 100m²

- Q63 Do you agree with the proposed duty to provide allotments?

Yes ☒ No ☐

Are there any changes you would make?

Any measures to promote good management and use of Allotments should be welcomed. Allotments could be an important strand of Neighbourhood Management/Community participation.

Do you agree with the level of the trigger point, ie that a local authority must make provision for allotments once the waiting list reaches 15 people?

Yes ☒ No ☐

- Q64 Do you prefer the target Option A, B or C and why? Are there any other target options you wish to be considered here? Do you agree with the level of the targets?

Option B

- Q65 Do you agree with the proposed list of local authority duties and powers?

Yes ☒ No ☐

Would you make any changes to the list?

Q66 Do you think the areas regarding termination of allotment tenancies listed should be set out in legislation or determined by the local authority at a local level?

Legislation ☐

Determined by local authority ☒

Q67 Are there any other areas you feel should apply to private allotments?

No

Q68 Do you agree that surplus produce may be sold?

Yes ☒ No ☐

If you disagree, what are your reasons?

Q69 Do you agree with the proposed list of subjects to be governed by Regulations?

Yes ☒ No ☐

Would you make any changes to the lists?

Dispute resolution provision procedure to be considered, for example, Head of relevant Service.

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Chapter 6: Assessing Impact

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only answer the questions that you have an interest in. Separate questionnaires are provided for each chapter of the consultation paper.

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Equality

Q70 Please tell us about any potential impacts, either positive or negative, you feel any of the proposals for the Bill may have on particular groups of people, with reference to the “protected characteristics” under the Equality Act 2010.

It is possible that groups that are currently less engaged locally and nationally with current engagement structures, will either not benefit or be affected adversely because they have not been included.

This could include some minority ethnic groups, including gypsy travellers, younger people and disabled people.

It might also be the case that existing groups, especially those that are not particularly diverse in some respects e.g. in terms of age, ethnicity or gender, would not have the capacity and/or skills to ensure that new resources or powers were fairly shared or used. For example the ethnic demographic of many tenants and resident associations in Scotland leans heavily towards older white females, and membership may have been relatively static.

It is likely then that there would need to specific support around equality and fairness to both existing and new groups, as well as upskilling of Council staff.

This would be assisted by the input of Councils, other statutory bodies and the voluntary sector. This will have a cost in terms of time and resources, which needs to be weighed against other possible use of such resources.

It is important that Councils and partners (voluntary and statutory) use an inclusive Equality Impact Assessment method, involving communities to get the best out of changes.

Q71 What differences might there be in the impact of the Bill on communities with different levels of advantage or deprivation? How can we make sure that all communities can access the benefits of these proposals?

Groups with good connections may be able to exploit changes better than those that are less established or further from being considered mainstream, leading to an increased concentration of resources, influence and assets in already existing groups.

An approach built on fostering good relations approach is advised, as this links strongly with the equality agenda, and will help harness the social capital of excluded groups and more recently arrived groups.

Again an equality impact assessment approach, combined with a human rights perspective and a consideration of socio economic impacts would contribute positively.