

## Democracy Matters – Submission to Scottish Government

We welcome the opportunity to provide our views on the working of democracy at the local level in Scotland.

As numerous reports, including the COSLA's findings in "Effective Democracy: Reconnecting with Communities", concluded over the past five years, democracy in Scotland remains the most centralised of any country in Europe.

We have considered the points you make and have provided answers to your questions in line with what we believe is the case in Linlithgow and how it sits democratically within the Local Authority of West Lothian Council (WLC).

Please note that many of our answers to your questions could apply equally to other questions you pose.

Answers sought:

1. *Tell us about your experiences of getting involved in decision-making processes that affect your local community or community interests:*
  - a. Over 200 members of the Community submitted individual statements to WLC requesting that the listed historic lamps around the former County Buildings be restored and the community representatives on the Town Management Group voted 6-1 to spend £3,000 on the refurbishment. Despite this, the Local Authority decided not to take this project forward.
  - b. With regard to the Local Development Plan for West Lothian, the Community Council worked with other community groups to submit detailed comments and an alternative Development Plan for the town which received wide public support from a locally-organised consultation exercise (and was much praised at Scottish Government level). This community input was acknowledged by WLC but not carried forward into the Local Development Plan. The same situation arose with the preceding Main Issues Report proposals.
  - c. As a general point, submissions from the Community Council are seldom acknowledged by WLC.
  - d. WLC provides for each local authority ward to be supported by a Local Area Committee (LAC). The LAC for Linlithgow Ward comprises the three Councillors meeting with Local Authority Officers, Police and Fire and Rescue Services who provide reports in advance of the meeting. The LAC meets quarterly in Linlithgow where our Councillors raise questions on the reports. Members of the public can attend to observe the proceedings but are not allowed to participate.
  - e. The three Ward Councillors hold surgeries and hopefully take forward citizens concerns to the Local Authority. However, there is a feeling that Ward Councillors once elected consider their responsibility to West Lothian as a whole rather than to the citizens who elected them. It is recognised that there are areas of deprivation that do require more attention than more self-supporting towns such as Linlithgow. However, Linlithgow does have issues and concerns that should be properly considered by WLC.

2. *Would you like your community or community of interest to have more control over some decisions? If Yes, what sort of issues would those decisions cover?*
- a. Interpreting “control over” as meaning having the authority to take decisions and act on them then yes, we would like to have more control over decisions affecting Linlithgow. A level of control is already provided for in the Local Government (Scotland) Act 1973 but seldom if ever put to the test as far as **acting** on behalf of the Community.
  - b. Planning as to what development takes place in the town is of prime consideration to Linlithgow; we are a prime commuter town for Edinburgh and to some degree Glasgow. There are over one million passenger journeys to and from Linlithgow station each year. This and Linlithgow’s excellent free schooling means that housing is in high demand. The Community Council comments on all planning matters; whilst these are invariably included in the planning officer’s report in some form, it remains unclear as to whether any of our comments are explicitly taken account of by the Planning Department in their recommendation to the Planning Committee. Our current input to the redevelopment of the Vennel at the centre of Linlithgow will be a prime test case.
  - c. The Community Empowerment Act was, we understand, introduced to allow empowerment to be distributed more widely. Much is made in the Act regarding the role of the Community Planning Partnership (CPP) and its role in ensuring services are properly designed and operated for the benefit of the Community as a whole. However, being at Local Authority level the CPP has little insight as to the workings of the Community at local level. Indeed, the CPP has never visited Linlithgow. Further Community Councils, whilst having a right to be represented at CPP meetings in practice there is no current method by which this can occur.
3. *When thinking about decision-making, ‘local’ could mean a large town, a village, or a neighbourhood. What does ‘local’ mean to you and your community?*
- a. Referring specifically to Linlithgow, we believe that Local should encompass Linlithgow town itself and Linlithgow Bridge. Linlithgow Ward currently includes the villages of Newton, Philpstoun, and Bridgend. However, we believe that these villages have issues different to the town of Linlithgow and Linlithgow Bridge and including these villages would require careful thought notwithstanding that Philpstoun and Bridgend are currently within the Linlithgow Academy catchment area.
  - b. We do recognise that ‘Local’ boundaries will move over time. For example, as Winchburgh and Kirkliston to the east of Linlithgow expand, as currently happening, then Ward boundaries will change. We believe that the boundaries of new Town and Village Councils could reflect current Community Council areas, although those for rural areas would probably have to be combined with others to achieve adequate scale for administrative purposes. Obviously, cities would need to be treated differently.
  - c. The key here is that ‘Local’ should be a self-supporting entity within the democratic hierarchy of government: Scottish Government > Local Authority > Local (Community) Council.

4. *Are there existing forms of local decision-making which could play a part in exercising new local powers? Are there new forms of local decision-making that could work well? What kinds of changes might be needed for this to work in practice?*
- a. We consider that the current arrangement of decision-making in Linlithgow is unnecessarily contorted. For example policy recommendations on the maintenance and evolution of the Town should rest with the Community Council, the development of the High Street and Industrial Area is within the remit of the two BIDs, decisions on capital projects to be undertaken within the Town are decided by the Town Management Group, Burgh Beautiful maintains most of the floral displays and some of the open spaces and the recently formed Community Development Trust aims is *To make Linlithgow a better place to live and work, through a community led plan of action which provides services, amenities and/or financial support to local initiatives'*, ie potentially subsuming every aspect of life in the Town. With so many bodies reporting to the Local Authority it is no wonder that the Local Authority can claim that 'Linlithgow can never make up its mind about anything and they can therefore ignore us'. The Community Council therefore believes that all these disparate organisations be brought under one roof; in effect reinstating a form of Town Council.
5. *Do you have any other comments, ideas or questions? Is there more you want to know?*
- a. Following on from 4a. we recognise we are asking for major legal and structural changes in Local Government in Scotland. Areas for consideration are:
    - i. Need for local sources of funding. This could be done by the Town Council undertaking an annual budget and funding this budget through a defined contribution within the current Council Tax, as currently practised in England, known as a precept. The Council Tax could be collected by the Local Authority as at present, but the local contribution would be allocated to the Town Council
    - ii. We recognise that equality across Scotland needs to be maintained and enhanced and that deprived areas need protection. This may be Scottish Government establishing a supplementary grant for special purpose funding which would be less likely to be available to affluent areas.
    - iii. The Town Council would need staffing and the cost would come from the 'precept' mentioned above. It would be expected that this would be balanced by a reduction in staff in the Local Authority and a consequent reduction in the Council tax charged directly from the higher-tier council.
    - iv. The distribution of functions between the Local Authority and their Town Councils would need careful balancing and the balance could vary from Town to Town. Refuse collection is likely to remain centralised whilst social housing, community facilities, street cleaning, parks and gardens, for example could be distributed.
    - v. There would need to be a legal provision and procedure for local communities to have the power to petition the Scottish Government for the

formation of a Town Council in their local area, as was the case before local government reorganisation in 1975.

- b. To reiterate we are advocating a three-level democratic structure for Scotland. However, we do note that COSLA in its Report “Effective Democracy: Reconnecting with Communities 2014” recommends increasing the number of Local Authorities to over 100 rather than reintroducing ‘Town Councils’. We acknowledge the difference and recognise that there are certain functions, as indicated above, can be more cost effectively done by the existing Local Authorities without significant loss of local democracy whilst community decisions should be undertaken at local level in line with the thesis underlying your consultation.
- c. We believe a number of recommendations made by our Community Council and other groups in Linlithgow purely on agreed benefits to the Town, fall foul of political dogma at Local Authority level. It is absolutely essential that Town and Village councils be non-political and recommendations to the Local Authority be treated as such.

Endorsed by a meeting of Linlithgow & Linlithgow Bridge Community Council 23<sup>rd</sup> October 2018.