

## FACTSHEET: COMMUNITY EMPOWERMENT ACT

The Community Empowerment Act received royal assent in July 2015. The Act aims to provide communities with greater influence and control over the things that matter to them. Final guidelines for the Community Empowerment Act were published in January 2017.

### Key elements of the Community Empowerment Act

- Strengthening of community planning to give communities more say in how public services are to be planned and provided.
- Provides new rights enabling communities to identify needs and issues and request action to be taken on these – this is called a 'participation request'.
- Extension of the community 'right to buy' or have greater control over assets.

### Community Planning

Community Planning Partnerships (CPPS) are required to develop and publish a Community Participation Plan to accompany the new Local Outcomes Improvement Plans (LOIPs).

CPPs also have to produce Locality Plans for smaller areas of need. Locality Plans can be for groups who share need, common interests or features ie young people leaving care or vulnerable adults – these are referred to as 'communities of interest' or for a particular boundary area like Tillicoultry. These will be 'communities of place'.

Locality Plans will be for areas that seek improvement and have poor outcomes. Population area should be either an electoral area and should not exceed 30,000 people for a Locality Plan.

The Local Outcomes Improvement Plans (LOIPs) and Locality Plans must be completed by October 2017.

The local plans will require priorities are set by different partners to achieve improved outcomes. This will make it easier for community organisations to make a 'participation request' around an outcome to the appropriate public body.

### Participation request

Participation requests are a means to strengthen communities 'voices' in shaping public services. They give community groups who believe they can help improve local public services an opportunity to have a discussion with public bodies ( Councils, NHS, Police Scotland) who deliver these services.

They aim to help communities who find it difficult to be heard and to share their views.

In order to request to improve an outcome, a community organisation does not have to be a legally constituted group, but it must be community-led, meaning that those who make up the group are from the community they seek to represent. Membership must be open to the whole community and the work of the group (including any profits generated by the group or organisation) must be for the benefit of the community. Community Councils are included.

The Act does not specify that community bodies have to be geographically defined in order to make a participation request. This enables community organisations that work around a shared identity or characteristic, such as ethnicity, disability or sexual orientation, can initiate participation requests if they want to improve an outcome relating to their community of interest.

Participation requests can be made to local authorities, colleges and universities, health boards, Scottish Enterprise, Highlands & Islands Enterprise, the police, the fire service, Scottish Natural Heritage, regional transport partnerships, national parks and the Scottish Environment Protection Agency. The requirement to respond to participation requests does not apply to agencies working on reserved matters (issues under Westminster control). This includes agencies related to employment, welfare, immigration and defence.

**Asset Transfer**

This part of the Act allows communities to request the right to buy 'abandoned, neglected or detrimental land' and extends the power to community organisations from the 2003 Land Reform (Scotland) Act.

Communities bodies do need to show they have the support from the wider community and how they will fund their proposals in future.

**Community Planning Partnership in Clacks**

**Clackmannanshire Alliance / Community Planning Partnership**

**Executive Group**

- Clackmannanshire Council (Chair)
- NHS Forth Valley (Depute Chair)
- Scottish Fire & Rescue Service
- Police Scotland
- Forth Valley College
- CTSI
- Clackmannanshire Tenants & Residents Federation

