

Response ID ANON-319P-B9XP-G

Submitted to **Community Empowerment (Scotland) Act 2015 – Participation Requests: Consultation on Draft Regulations**
Submitted on **2016-06-15 14:02:08**

Introduction

Are you responding as an individual or an organisation?

Organisation

What is your name or your organisation's name?

Name/orgname:

Cairngorms National Park Authority

What is your email address?

Email:

leehaxton@cairngorms.co.uk

The Scottish Government generally seeks to publish responses to a consultation, in summary and where possible in detail. We would like your permission to publish:

Your response along with your full name

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?

Yes

Page One

1 Should the use of a statutory form be required in the regulations? Please give reasons for your response.

Should the use of a statutory form be required in the regulations? Please give reasons for your response.:

Yes

This would provide an initial reference point for the community body and public body. Guidance should set out what the form will cover, in order to provide consistency, without being too prescriptive. This form would help clarify timescales and help both parties decide if a PR was actually necessary.

2 Should it be possible for a community body to put in a participation request without using a form? Please give reasons for your response.

: Should it be possible for a community body to put in a participation request without using a form? Please give reasons for your response.:

No, as this could become confusing and cause time to be wasted. A two stage process may work best:

1. Initial inquiry and discussion with appropriate lead officer in each organisation
2. If necessary, officer assists the community group to complete the form.

3 What else might a statutory form usefully cover beyond the example set out in Annex B?

What else might a statutory form usefully cover beyond the example set out in Annex B?:

CNPA has drafted a form, which we would be happy to share with Scottish Government. We are aware that a number of our partner agencies have decided to use our form as a basis for developing their own. We (and our partners) are keen to ensure that there is consistency for community groups, so would encourage the development of pragmatic forms, which follow the same principles, but are flexible enough to suit organisational context.

CNPA's draft form includes one amended and one additional section. We have specifically listed the 10 outcomes from the National Park Partnership Plan (the overarching Management Strategy for the Park) in the form and would intend to work with any "applicant" to ensure that the most relevant outcome is highlighted as part of the process. This will ensure that the applicant and the organisation are clear on which outcome the community group is interested in and will support the effective administration of the process.

In addition, the form could ask applicants to state whether or not, and to what extent, they had previously been involved in engagement processes around that outcome. This would allow the public agency to review their engagement practices if gaps are identified.

4 Is 14 days a reasonable amount of time for additional public service authorities to respond? If not, please suggest an alternative timescale and explain reasons for the change.

Is 14 days a reasonable amount of time for additional public service authorities to respond? If not, please suggest an alternative timescale and explain reasons for the change.:

No.

14 days would be challenging; depending upon how each organisation delegates this work; how complex the PR is; and how many partners may need to be involved. 20 working days would be more achievable and will not cause undue delays.

5 What, if any, are the particular/specific ways that public service authorities should promote the use of participation request?

What, if any, are the particular/specific ways that public service authorities should promote the use of participation request?:

The most effective way would be to include basic information on the website, with a contact email or telephone number for people to use if they want more information.

6 What are the ways that public service authorities should support community participation bodies to make a participation request and participate in an outcome improvement process that should be set out in the regulations?

What are the ways that public service authorities should support community participation bodies to make a participation request and participate in an outcome improvement process that should be set out in the regulations? :

The two stage process outlined in Question 2 would provide a logical and supportive process. Public service authorities should also widely promote how they approach and deal with Participation Requests to communities.

7 What types of communities could the regulations specify that may need additional support? Please give reasons for your response.

What types of communities could the regulations specify that may need additional support? Please give reasons for your response.:

Typically those communities which are disadvantaged or isolated may need additional support; but these are inherently difficult to identify. We already have some arrangements in place to support such communities. Regulations should leave the exact definition of "disadvantaged" or "isolated" to be decided locally, as context can be a key contributing factor.

8 How long should the public service authority have to assess the participation request and give notice to the community participation body? Is 30 days a reasonable amount of time?

No

If not, how long should the period for making a decision be? Please give reasons for your response.:

We anticipate that some Participation Requests, particularly those which may require input from partners, may require longer and recommend that 30 working days would be a more reasonable timescale.

9 Are there any additional information requirements that should be included in connection with a decision notice? Please give reasons for your response.

Are there any additional information requirements that should be included in connection with a decision notice? Please give reasons for your response.:

The decision notice could include information on how other interested parties could either:

1. Find out more information; or,
2. Become involved

10 What other information, if any, should the regulations specify should be published in relation to the proposed outcome improvement process? Please give reasons for your response.

What other information, if any, should the regulations specify should be published in relation to the proposed outcome improvement process? Please give reasons for your response.:

No comment.

11 What other information, if any, should the regulations specify should be published in relation to the modified outcome improvement process? Please give reasons for your response.

What other information, if any, should the regulations specify should be published in relation to the modified outcome improvement process? Please give reasons for your response.:

No comment.

12 Section 31 sets out the aspects that the report of the outcome improvement process must contain. What other information, if any, should the regulations require the report include? Please give reasons for your response.

Section 31 sets out the aspects that the report of the outcome improvement process must contain. What other information, if any, should the regulations require the report include? Please give reasons for your response.:

No comment.

13 Do you have any other comments on the draft Participation Request (Procedure)(Scotland) Regulations 2016?

Do you have any other comments on the draft Participation Request (Procedure)(Scotland) Regulations 2016?:

CNPA welcomes the new legislation and the opportunities it creates for communities in the National Park. Many communities participate in the management of the Park already and we look forward to further participation.

CNPA is well-placed to support the implementation of the Participation Requests provision, with a number of excellent examples of community engagement and participation;

- o CNPA previously adopted the National Standards for Community Engagement to regulate our engagement activities;

- o CNPA uses the VOICE system to plan, monitor and review strategic consultations;

- o CNPA has promoted the active involvement of communities in in shaping their futures and has worked with all communities in the Park to get Community Action Plans in place. Each of these has led to further participatory initiatives.

- o CNPA is involved in a series of partnerships and advisory fora, with a variety of public, private and voluntary sector partners. These fora are designed to support outcome improvement and delivery in a collaborative manner

Evaluation

6 Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.:

There has been a long consultation process around the Community Empowerment (Scotland) Act and CNPA has responded at each stage. At this final stage, the questions are very specific, so in effect the consultation does what it needs to do.

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.:

On-line consultations are very common.