

Agenda Item	8.
Report No	CPPB/9/25



**Highland**  
Community  
Planning  
Partnership

Com-pàirteachas  
Dealbhadh  
Coimhearsnachd

**na Gàidhealtachd**

**Highland Community Planning Partnership Board – 6 June 2025**

**The Community Empowerment (Scotland) Act 2015: Update and Findings Report**

**Report by: CPP Senior Officers; Gail Prince, Partnership Development Manager**

### **Summary**

This report summarises the key findings and recommendations from the Scottish Government's review of the Community Empowerment (Scotland) Act 2015 launched in July 2022. The report assesses the effectiveness of Community Planning Partnerships, noting both areas of excellence and barriers to effective collaboration. It highlights the Scottish Government's commitments to strengthening collective leadership, improving accountability, and commissioning research to evaluate the impact of community planning on local outcomes. Additionally, the report provides updates on other parts of the Act, such as community rights to buy land and the operation of common good property.

The CPP Board are asked to:

- i) Note the report and the Scottish Government commitments, with particular reference to the Assessment of Community Planning Section on pages 24 through 31.

### **1. Background**

- 1.1 The Community Empowerment (Scotland) Act 2015 (the Act) was passed by the Scottish Parliament in 2015, providing a legal framework to promote and encourage community empowerment and participation by creating new rights for community bodies and placing new duties on public authorities.
- 1.2 The Christie Commission on the future delivery of public services recognised the importance of community empowerment, which is a key aspect of the Scottish Government's approach to public service reform. Community empowerment enables people and communities to shape services locally and take action to support the creation of successful places across Scotland.
- 1.3 The Act introduced several new duties including:
  - Introducing a clear purpose for community planning focused on improving outcomes for local people.
  - Implementing a legal means by which communities can have more influence in local decision-making.
  - Widening community right to buy to all of Scotland.

- Shifting the balance of power towards communities by putting community asset transfer on a statutory footing.

## **2. Scottish Government's Update and Findings Report**

2.1 The purpose of the Update and Findings Report is to:

- Present the findings of in-depth reviews of two parts of the Act: Part 3: Participation Requests and Part 5: Asset Transfer.
- Present an assessment of the implementation of community planning (as covered by Part 2: Community Planning).
- Provide an update on all other eight parts of the Act.

2.2 The report can be found in Appendix 1.

## **3. Assessment of Community Planning (Part 2)**

3.1 The assessment found areas of excellence in CPPs demonstrating shared leadership and community participation. However, barriers to effective community planning were identified, including complex accountability structures and inconsistent contributions from statutory partners.

3.2 Recommendations include strengthening collective leadership, transforming funding and reporting mechanisms, and commissioning research to evaluate the impact of community planning on local outcomes.

3.3 In response to the findings the Scottish Government has committed to:

3.4 Strengthening Collective Leadership:

- Build a shared understanding and commitment to place-based leadership and local plans through engagement at senior levels with all Community Planning Partnerships (CPPs), using Place Directors, the Scottish Leaders Forum, and other networks.

3.5 Encouraging Accountability and Sharing Best Practices:

- Increase accountability and facilitate the sharing of information, learning, and best practices through engagement and joint working to build relationships and networks between those working in community planning.

3.6 Improving Performance:

- Fund the Improvement Service to work with the Scottish Community Planning Network to support its use as a forum for developing and embedding a shared vision for partnership working, identifying barriers, and exploring ways to strengthen relationships for more collaborative working.
- Provide opportunities for mutual support, capacity building, and information exchange to share and embed best practices in community planning.

3.7 Commissioning Research:

- Commission research to evaluate the impact of community planning on local outcomes, identify the features and levers of successful community planning, and understand the challenges and obstacles to successful community planning.

### 3.8 Refreshing the Place Director Role:

- Refresh the Place Director role to build their capacity as strong advocates for reform and place-based leadership, both with their CPP and within their own portfolios in the Scottish Government.

### 3.9 Whole Family Support Programme:

- Work with Community Planning partners to set a clear vision for community planning, strengthen collective leadership, and take concrete steps to remove barriers to strong collaboration and partnership working.
- Transform how funding, policy, reporting, accountability, and data enable partners to collectively bring services together around families.

3.10 These commitments aim to create the conditions for community planning to enable place-based reform and improve public services through collaborative leadership and effective partnership working.

### **Recommendation**

The CPP Board are asked to:

- i) Note the report and the Scottish Government commitments, with particular reference to the Assessment of Community Planning Section on pages 24 through 31.

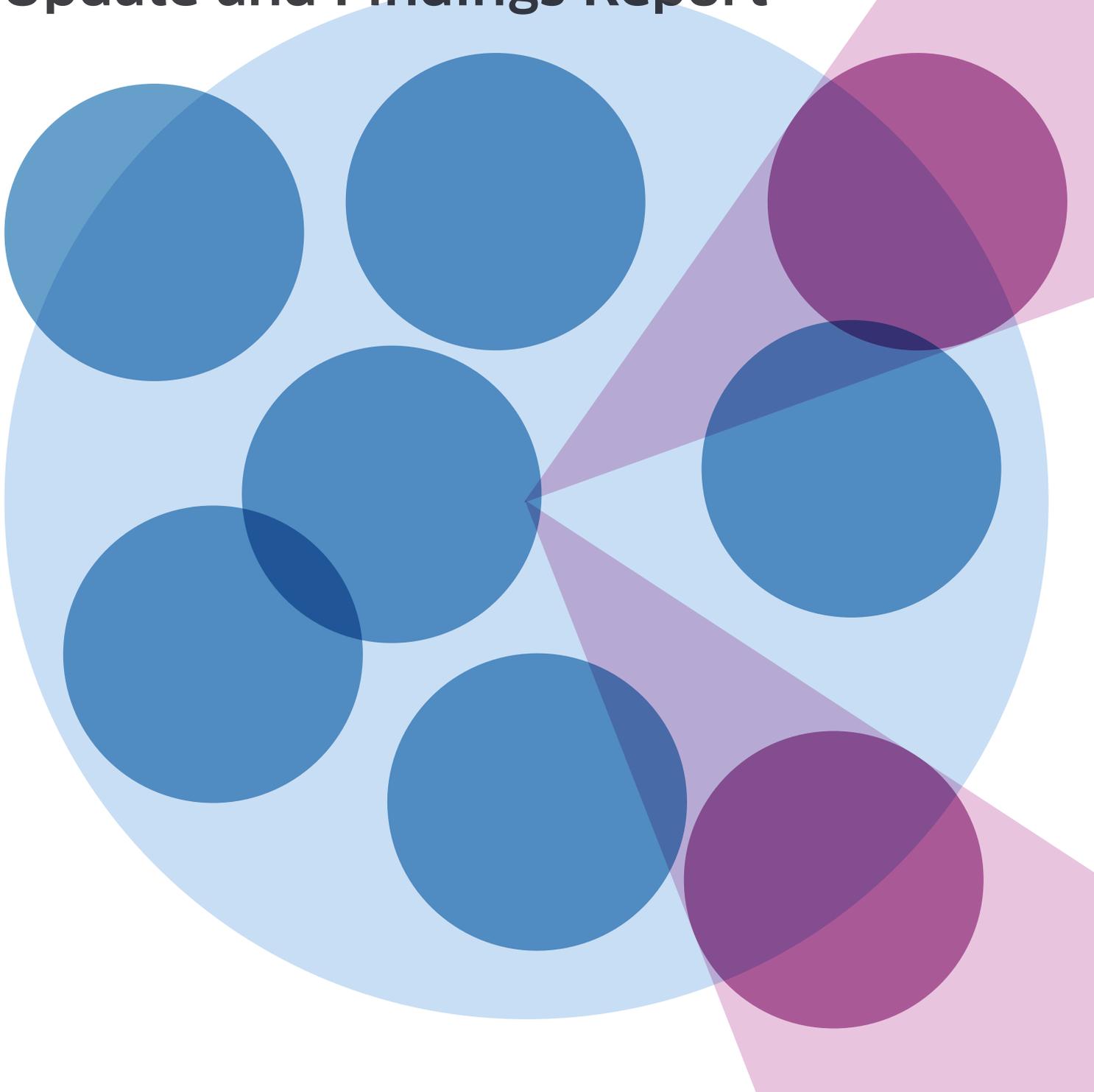
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**Date:** 14<sup>th</sup> May 2025

**Appendices:** The Community Empowerment (Scotland) Act 2015: Update and Findings Report

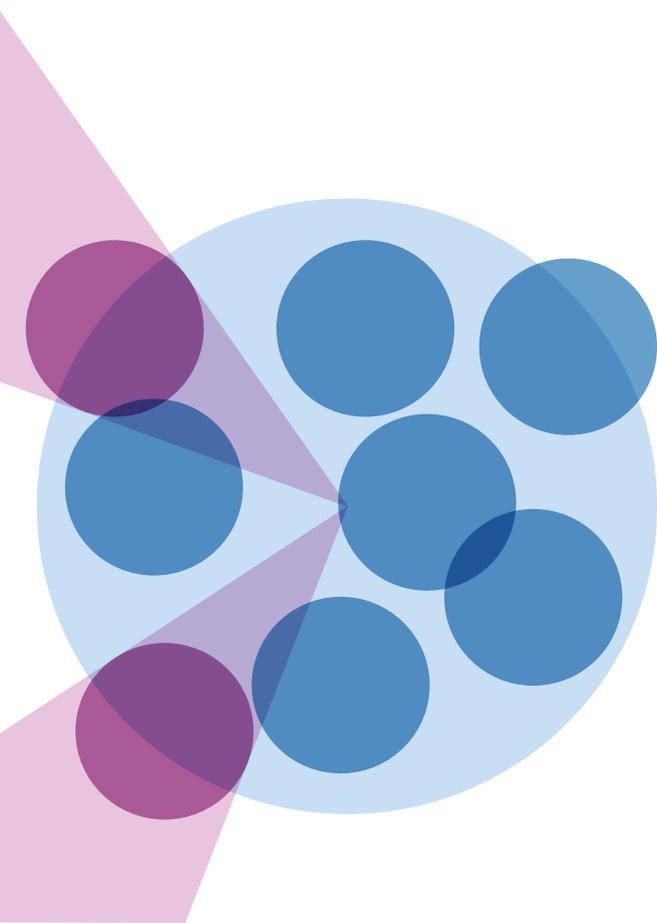
# **The Community Empowerment (Scotland) Act 2015:**

## **Update and Findings Report**

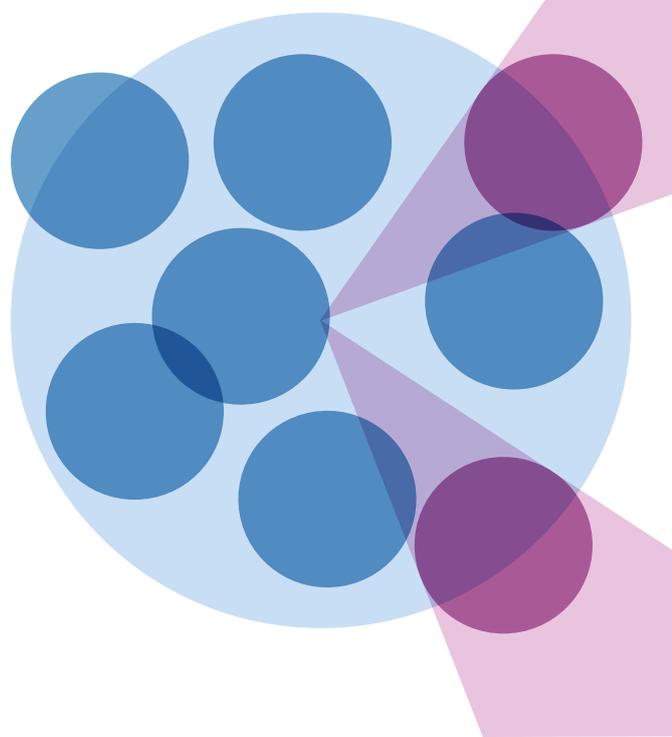


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# Executive Summary

**The Scottish Government is committed to supporting communities to have more power and influence over what matters to them. The Christie Commission on the future delivery of public services recognised the importance of community empowerment and this is a key aspect of the Scottish Government's approach to public service reform. Community empowerment can enable people and communities to shape services locally and take action to support the creation of successful places across Scotland.**

When the Community Empowerment (Scotland) Act 2015 (the Act) was passed by the Scottish Parliament in 2015 it provided a legal framework to promote and encourage community empowerment and participation, by creating new rights for community bodies and placing new duties on public authorities.

The Act has enabled a number of benefits, including:

- introducing a clear purpose for community planning focused on improving outcomes for local people
- implementing a legal means by which communities can have more influence in local decision-making
- widening community right to buy to all of Scotland
- shifting the balance of power towards communities by putting community asset transfer on a statutory footing

The purpose of this report is to:

- present the findings of in-depth reviews of two parts of the Act: Part 3: Participation Requests and Part 5: Asset Transfer
- present an assessment of the implementation of community planning (as covered by Part 2: Community Planning)
- provide an update on all other eight parts of the Act

The review of Parts 3 and 5 is closely aligned to the Scottish Government and the Convention of Scottish Local Authorities (COSLA) Local Governance Review which is considering how powers, responsibilities and resources are shared across national and local spheres of government, and with communities. It is also presented within the wider context of other Scottish Government legislative, policy and funding programmes, supporting the empowerment of Scotland's communities.

The Act has provided a legal mechanism for communities to take control of public assets to support wider social, economic and environmental objectives and supports a focus on tackling inequalities and improving outcomes at a local level. The review of Parts 3 and 5 have concluded that there has been significant progress in supporting the empowerment of communities across Scotland, with the legislation acting as an enabler to support community engagement and participation.

Part 3 legislation has encouraged greater numbers and types of public service providers to engage with their communities on a range of matters, that help improve local service delivery and support their public engagement strategies. Although participation request applications are low, much has been learned of their use by community organisations and their application by public service providers. However, the review has found that further clarification is needed on their purpose and for when their use is required.

Part 5 legislation is the first of its kind in the UK and is recognised as an enabler for community groups seeking ownership and control of public land and buildings. It has facilitated the transfer of greater numbers of public assets across multiple public service providers to local community groups; however, more work needs to be done to collate robust asset transfer data to better understand its impact.

The assessment of community planning found that there are areas of excellence where Community Planning Partnerships (CPPs) are embedding the principles of the Act, not only in what they are doing but in how they are demonstrating clear commitments to shared leadership. The assessment also found areas where community planning can be less effective, but that this is not down to any single stakeholder. The assessment found that further work to maximise the potential of the legislation will be required if CPPs are to support greater focus on, and investment in, earlier intervention and prevention as part of a wider public service reform agenda. Through the Whole Family Support Programme, the Scottish Government is prioritising action to respond to this assessment. Action is being taken with Community Planning partners to set a clear vision for community planning, strengthen collective leadership and take concrete steps to remove some of the barriers identified that prevent strong collaboration and partnership working. This complements ongoing work through the Community Planning Improvement Board and Community Planning Managers' Network and will, for example, support work with partners to transform how funding, policy, reporting, accountability and data enable partners to collectively bring services together around families.

Nevertheless, the Scottish Government has identified a number of opportunities to strengthen the implementation of the legislation in relation to Part 2: Community Planning, Part 3: Participation Requests and Part 5: Asset Transfer and these findings are outlined in the relevant sections of this report.

The Scottish Government believes that further empowerment of communities is important for shaping and delivering sustainable, prevention-focused and place-based services that improve outcomes for local people. A key feature of the next steps in Scotland's community empowerment journey will be delivering the Local Governance Review. Through Democracy Matters, communities across Scotland have expressed a clear desire for much greater control over what happens in the places they know best. Communities want decision-making models and processes which are flexible, with independent budgets and the right support in place to enable communities to become more resilient and deliver more.

The Democracy Matters Steering Group has been assembled to ensure that the policy development phase of Democracy Matters proceeds in the same spirit as the engagement process. The group is co-chaired by the Minister for Public Finance, Ivan McKee and the COSLA Vice President Councillor Steven Heddle. It has members from the community sector, local government, equalities groups and other local partners and is taking a co-production approach to model development, ensuring that models deliver on the ambitions set out by communities. The Local Governance Review also involves joint work, initially with local government and health and social care partners in three CPP areas, to develop Single Authority Models of local governance for each distinct geography. Place-based arrangements will strengthen and streamline decision-making at CPP level and create the right conditions to establish powerful community level decision-making arrangements, in line with the emerging findings from the Democracy Matters process.

# Background

## Introduction

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The [Community Empowerment \(Scotland\) Bill](#) was introduced in the Scottish Parliament in June 2014 as part of a wider programme of public service reform in Scotland, ignited by the 2011 [Christie Commission on the Future Delivery of Public Services Report](#). This report made clear that public sector organisations must work more effectively together and in partnership with communities, with a focus on achieving outcomes. There was a clear recognition in the report and in the Scottish Government's response in the [Renewing Scotland's Public Services: Priorities for Reform Report](#) of the need to work with people and communities, and in the importance of place. A timeline is provided in **Figure One** outlining the emerging community empowerment landscape, leading to the development of the bill and subsequent community empowerment legislation and beyond.

The [Community Empowerment \(Scotland\) Act 2015](#) (the Act) provides a legal framework that promotes and encourages community empowerment and participation by creating new rights for community bodies and placing new duties on public authorities. The Act has 12 parts, 11 of which include a mix of legislative drivers at various stages of implementation and delivery with legal implications for Scottish Ministers, Local Authorities, CPPs, the wider public sector and owners of private land. Part 12 makes general provisions in relation to the Act and guidance developed for each part of the Act has been published in accordance with Part 12.

The Act put into statute the national outcomes approach for Scotland; introduced a clear statutory purpose for community planning focused on improving outcomes; created a right for communities to make a request to public authorities to participate in an outcome improvement process; put asset transfer on a statutory footing where communities can purchase, lease or manage publicly owned assets; extended the right to buy land to the whole of Scotland and to purchase neglected, abandoned or detrimental land where the owner is not willing to sell; placed a duty on Local Authorities to be more transparent on common good property and allotments and provided a new power on non-domestic rates relief schemes. The Act also amended section 7C of the Forestry Act 1967 and provided a power for Scottish Ministers to make provisions about supporters' involvement in and ownership of Football Clubs and Participation in Public Decision Making should a statutory route be required in the future. A summary of the Act is provided in **Annex A**.

In September 2021 the Scottish Government committed to reviewing the Act in the [Fairer Greener Scotland Programme for Government 2021-22](#) as set out in the following commitment, with a focus on community ownership and community participation:

**“We will review the Community Empowerment Act, to consider how local communities can have more of a say over how local public assets are used – whether that is taking on the ownership or management of land or buildings, delivery of services to members of their community, or more say in how services are delivered, assets are used and resources are allocated.”**

This commitment was reaffirmed in the [Equality, Opportunity, Community Programme for Government 2023-24](#), with a particular focus on Part 2: Community Planning as follows:

**“Review the Community Empowerment (Scotland) Act 2015 to ensure it is fit for purpose, explore how communities can be further empowered, and improve community planning (covered by Part 2 of the Act) to support the shared ambitions within the Verity House Agreement.”**

The review was launched by then Minister for Public Finance, Planning and Community Wealth on 21 July 2022.

## Figure 1: Community Empowerment (Scotland) Act 2015 – Timeline

- 2003:** Community Planning introduced via the Local Government in Scotland Act 2003
- 2005:** National Standards for Community Engagement jointly launched by the Scottish Government and COSLA
- 2006:** Scottish Community Empowerment Action Plan: Celebrating Success: Inspiring Change published jointly by the Scottish Government and COSLA
- 2011:** Christie Commission’s report on the Future Delivery of Public Services published followed by the Scottish Government’s response Renewing Scotland’s Public Service: Priorities for Reform
- 2012:** The Statement of Ambition for Community Planning issued by the Scottish Government and COSLA
- 2014:** Community Empowerment (Scotland) Bill introduced in the Scottish Parliament
- 2015:** The Bill passed on 17 June 2015 and received Royal Assent on 24 July 2015 Part 8 Common Good (in part) and Part 11 Non Domestic Rates came into force
- 2016:** Part 1 National outcomes, Part 2 Community Planning and Part 4 Community Right to Buy Land came into force. National Standards for Community Engagement updated and relaunched
- 2017:** Part 3 Participation Requests and Part 5 Asset Transfer came into force. Democracy Matters Phase 1 launched
- 2018:** Part 9 Allotments came into force. Remainder of Part 8 Common Good came into force
- 2019:** Democracy Matters Phase 1 Findings published Principles for Community Empowerment published by Audit Scotland
- 2022:** Review of the Community Empowerment (Scotland) Act 2015 launched
- 2023:** Democracy Matters Phase 2 launched
- 2024:** Democracy Matters Phase 2 Findings published. Scottish Government and COSLA joint statement on the Local Governance Review committing to taking forward the Democracy Matters findings and the development of Single Authority Models
- 2025:** Review of Part 3 Participation Requests Findings Report, the Review of Part 5 Asset Transfer Findings Report and the Community Empowerment (Scotland) Act 2015 Update and Findings Report published

## Strategic Context

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This review is part of the wider public service reform 10-year programme in Scotland. This programme of work focuses on both reforming public services to be more efficient and effective, and on shaping services around what matters to people and communities to provide holistic support that prioritises prevention.

To deliver these relational, preventative place-based services, communities need to be strengthened and empowered. This means communities having greater control over how services are delivered and that those accessing services, do so on the basis of being able to contribute to resolving the challenges they face, supported by public services.

The review of the Act is closely aligned to the Scottish Government and COSLA's Local Governance Review which is considering how powers, responsibilities and resources should be shared across national and local spheres of government, and with communities. The [Serving Scotland Programme for Government 2024-25](#) confirmed that the Local Governance Review will conclude in this parliament as a key pillar of the public service reform programme, creating the opportunity to accelerate Scotland's community empowerment journey by considering the future of local democracy in Scotland.

The review's community empowerment engagement process, Democracy Matters, asked communities from across Scotland to come together to consider how decision making should happen in their town, village or neighbourhood. The process received over 160 responses, 83 of which were the product of community run conversations. The [Democracy Matters Phase 2: Analysis of Responses Findings Report](#) was published in September 2024 and reflects a clear desire to have a greater control over decision making at a more local level and a diversity of views on how to achieve it. The Scottish Government and COSLA's [Local Governance Review: Joint Statement](#) published alongside the findings report committed to a robust policy development process before an implementation phase in the next parliament. This work is ambitious in outlook and will deliver new inclusive decision making arrangements which better enable everyone, regardless of their background, to participate in civic life, supporting the next phase of Scotland's community empowerment journey.

The Local Governance Review also invited proposals for changes to how powers are shared at Local Authority and CPP level or regionally. Three Local Authority areas proposed a move towards a single authority type model of local governance in each of their distinct geographies. The initial focus is on arrangements which bring local government and local health functions more closely under local democratic control. These arrangements could encompass a broader suite of functions over time and will have direct implications for existing local partnership working, including CPPs. All local partners will have an important role in ensuring new local governance models maximise their potential to deepen service integration and incentivise crucial cross-sector investment in preventive services over the short, medium and longer-term.

The work over the remainder of the current parliament to develop detailed place-specific propositions in each of the three participating authority areas will generate valuable learning for CPPs and wider interests across Scotland. This learning will include how the public, private and third sectors can adapt to establish a dynamic new relationship with communities, in line with the changes which will be delivered through the Democracy Matters process.

## Community Empowerment Context

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In addition to the Local Governance Review, wider programmes and approaches across Government are supporting the empowerment of communities that add to the legislative context of the Act. The following provides a snapshot of some of this work and there are many more programmes being taken forward by the Scottish Government in collaboration with the public sector, third sector and communities.

Significant investment has been made by the Scottish Government's [Empowering Communities Programme](#) which supports community-led regeneration, enabling communities to tackle poverty and inequality on their own terms. The programme delivers investment through a mix of community funding streams and strategic partnerships together enabling communities to create local plans; develop local assets; create jobs; deliver services and projects in response to local needs and encouraging and supporting community engagement.

As well as the Empowering Communities Programme, the [Scottish Land Fund](#) supports both rural and urban communities to become more resilient and sustainable through the ownership and management of assets. Funded by the Scottish Government and delivered in partnership by The National Lottery Community Fund and Highlands and Islands Enterprise, it offers grants of up to £1 million to help communities take ownership of land and buildings, as well as practical support to develop their aspirations into viable projects. Between May 2015 to March 2024 the Scottish Land Fund has awarded over £50 million to more than 300 community organisations and more information is available [at Scottish Land Fund awards](#).

Funding is contributing to community ownership of land, buildings and other assets and in the latest annual [Community Ownership in Scotland Report](#) published in November 2024, summary statistics for 2023 found that 840 assets are owned by 533 groups covering an area of 208,597 hectares (approximately the size of Stirling Local Authority area, 218,616 hectares). Community ownership is delivering benefits to communities across Scotland and many have mobilised their assets and capacity to meet a wide range of needs, particularly those of the most vulnerable.

To further support community empowerment the [Land Reform \(Scotland\) Bill](#) was introduced to the Scottish Parliament on 14 March 2024. The Bill proposes to ensure that the benefits of land ownership, and decisions about how land is managed and used, are more widely shared. Through the introduction of advance notice of certain sales from large landholdings, the Bill aims to empower communities with more opportunities to own land. It will also introduce a new type of land management tenancy to improve opportunities for small landholders and tenant farmers.

In further support for rural local decision-making and community empowerment, the Scottish Government has provided over £900,000 funding towards the Scottish Rural and Islands Parliament since the first event in 2014. Scotland is the only part of the UK that has a Rural Parliament, which underlines the commitment to enabling rural communities to identify the local and national issues they want to address, and the opportunities they want to explore.

Another important development was the introduction of the [Islands \(Scotland\) Act in 2018](#) which is only one of a handful of place-based pieces of legislation to focus specifically on islands in the world. The measures it contains, like the Island Communities Impact Assessment, are designed to meaningfully improve outcomes for island communities and ensure national policies and investments are delivered in a way that empowers island communities and takes their often unique challenges into account. The Islands Act requires Scottish Ministers to review the Plan within five years of its publication. Following a public consultation carried out in 2023, Ministers have announced that a new National Islands Plan will be published in 2025.

In further recognition of the importance of supporting the development of thriving rural communities, the Scottish Government has invested over £24.5 million of the Community-Led Local Development Programme in rural and island communities since 2021, delivering over 1000 grassroots community-led projects. A large scale review of the programme has been commissioned which will examine its strategic fit in relation to wider public and third sector interventions, and consider options for its future role, focus and delivery.

The Scottish Government has adopted the internationally recognised [Community Wealth Building](#) approach to economic development as a key practical means by which Scotland could achieve a wellbeing economy. Community Wealth Building acts as a framework for activity across five interlinked pillars which are spending, workforce, land and property, inclusive ownership and finance. There has been significant progress in implementing Community Wealth Building in Scotland over the past few years led by Local Authorities and communities, often in partnership with wider CPPs. A Community Wealth Building Bill will be introduced to ensure consistent implementation of the Community Wealth Building model of economic development across Scotland and address economic and wealth inequality by supporting the retention of more wealth in local and regional economies and empowering communities.

The [Place and Wellbeing Programme](#) sits within the wider Care and Wellbeing Portfolio, which is a major reform programme designed to improve population health, address health inequalities and improve sustainability of the health and social care system. The Communities workstream within the programme aims to empower the community and voluntary sector to act locally to complement the actions of the public sector in tackling health inequalities. A key focus of the workstream is looking at how to increase the influence local community organisations have over decisions that impact on health and wellbeing within their communities. A process of engagement has recently been undertaken with Third Sector Interfaces, community organisations, public sector partners and relevant Scottish Government policy leads exploring how best to progress this objective.

Finally, a [Participatory Budgeting](#) approach is supported and promoted by the Scottish Government as a meaningful way to directly involve communities in how money is spent in their local area, working in partnership with the public sector and building on the wider development of participatory democracy in Scotland.

# Approach

## Methodology

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**Information is provided for 11 parts in the Act. However, this report has a particular focus on legislation which enhances community participation, community control of public assets and community planning following the Programme for Government commitments. Findings will help inform what practical or statutory changes might be required to further empower communities, particularly within the wider context of the 10 year public service reform programme and the Local Governance Review.**

This report has been co-ordinated by the Scottish Government's Public Service Reform Directorate with input from relevant policy leads across the Scottish Government for each part of the Act. Work on the review of Parts 3 and 5 was undertaken between August 2022 and October 2024, resulting in three reports including this summary update and findings report. Part 2 Community Planning forms another key part of this report and an in-depth update and overview of planned activity is provided. An overview of the report contents are provided below.

Two parts of the Act were extensively reviewed:

- Part 3: Participation Requests and Part 5: Asset Transfer and in-depth findings reports for each part are provided separately with summaries included in this report. Further details on the methodology for the review of each part are included within the relevant chapters

One part of the Act had an in depth assessment:

- Part 2: Community Planning was assessed by using the robust and thorough review undertaken in 2023 by the Local Government, Housing and Planning Committee post-legislative scrutiny of community planning, enhanced by engagement with CPPs

Three parts of the Act have been reviewed parallel to this findings and update report:

- Part 1: National Outcomes has been reviewed separately as the Act requires Ministers to review the National outcomes within 5 years of their publication. Work began on the review in May 2022 and further details on the revised National Performance Framework will be available in early 2025
- Part 4: Community Rights to Buy Land is subject to a review of all of the community rights to buy which commenced in the summer of 2024 and conclusions will be announced in December 2025
- Part 9: Allotments has been reviewed by working to support Local Authorities meet their legislative responsibilities as well as considering recommendations in 2022 from the Local Government Housing and Planning Committee

Five parts were not reviewed but an update on those parts are included within this report:

- Part 6: Delegation of Forestry Commissioners' Functions provided an update to the 1967 Act which has since been superseded by the 2018 Act in relation to the Scottish Ministers' forestry and land management functions. Therefore Part 6 of the 2015 Act is no longer relevant so a review was not required
- Part 7: Football Clubs has not been enacted and the Scottish Government has established a fan bank outwith legislation which is a loan funding scheme to help fan groups purchase a share in their local sports club
- Part 8: Common Good Property has received feedback from a report of the Scottish Land Commission and more recently from the consultation on Community Wealth Building in 2023. The Scottish Government reviews the operation of Common Good statutory requirements on an ongoing basis and a focused review as part of this report was not undertaken
- Part 10: Participation in Public Decision-Making has not been enacted as the use of participatory budgeting and other participatory democracy methods across Scotland has grown outwith legislation
- Part 11: Non-Domestic Rates introduced wide-ranging local relief-making powers for Local Authorities which are well used and therefore did not need a review

# Findings

## Part 3: Participation Requests

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The [full findings for the review of Part 3: Participation Requests](#) are available and this section provides a summary of those findings. The [legislative pages for participation requests](#) are also available.

### Introduction

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This section presents findings from a review of participation requests as introduced by Part 3 of the Act and came into force on 1 April 2017. Part 3 provided a legislative route to enable community groups request to have greater involvement in, and influence over, decisions and services that affect their lives. Participation requests were designed as a way for communities to proactively initiate dialogue with public authorities around improving public services. They do not replace existing participation mechanisms but are a potential way for community groups to strengthen their involvement in other processes. The legislation is a useful framework to inform all engagement, in that it promotes dialogue, has a focus on improving outcomes, improves collaboration and transparency and is co-produced with a focus on addressing inequality.

Participation requests can be made by community organisations to public authorities which are highlighted in Schedule 2 of the Act. As defined by the Act, the term used for community organisations is Community Participation Bodies and the term for public authorities is Public Service Authorities. There are currently 77 Public Service Authorities in Scotland. Both the Community Participation Body and the Public Service Authority must complete an Outcome Improvement Process which turns ideas into action and achieves the aims of the participation request. The Outcome Improvement Process is a process that will help improve the outcome set by Community Participation Bodies. Participation requests have been used for a variety of purposes including community participation for pier safety issues, local road improvements, local service delivery and improvements to community halls.

The aim of the review of Part 3 was to present and synthesise findings on the use and impact of participation requests since its introduction in 2017 by Public Service Authorities and Community Participation Bodies. In addition, the review considered whether an appeals or review mechanism for participation requests was required. Findings from this review will help inform what practical or statutory updates might be required for participation requests to further empower communities.

This review was undertaken by the Scottish Government's Public Service Reform Directorate and focused on three key questions:

- Is Part 3 of the Community Empowerment (Scotland) Act 2015 being implemented as intended by Public Service Authorities?
- Are participation requests enabling Community Participation Bodies to be more involved in decisions and processes aimed at improving outcomes for communities?
- Should an appeals or review mechanism be introduced for participation requests?

The review of Part 3 was conducted using available quantitative and qualitative data. Not all Public Service Authorities have made their reports publicly available and not every authority returned their annual reporting templates to the Scottish Government. As a result, the findings in this report cannot be said to reveal the full picture of participation requests activity in Scotland. It is also important to note that a participation request may be received by a Public Service Authority and an Outcome Improvement Process can subsequently be agreed informally, without using the legislative framework. Furthermore, Public Service Authorities can accept an application in one year and decide on this in a subsequent reporting year.

## Key Findings

- Since participation requests legislation was introduced in 2017, 104 participation requests have been made with 56 granted and 27 refused. Of the remaining 21, no further details were provided except that a request had been made
- The number of applications has decreased from a high of 26 in 2018-2019 to a low of five in 2023-2024, with some variation in numbers over this period
- Since 2017, 96 participation requests were received by Local Authorities, seven by Health Boards, and one by Police Scotland. Thirty eight of these participation requests were made by Community Councils, the most common Community Participation Body type. Out of a total of 77 Public Service Authorities, 55 have never received a request
- Participation requests have helped to enable Community Participation Bodies to be more involved in decisions and processes aimed at improving outcomes for communities, but there is mixed understanding of their purpose and when they are needed
- Capturing robust data to define the value and impact of participation requests remains a challenge due to low numbers and reporting practices by Public Service Authorities, and in particular understanding the relationship between inequalities and participation requests
- There is patchy implementation of, and adherence to, the participation request legislation by Public Service Authorities, including continued low annual reporting
- Many Public Service Authorities believe that participation requests should only be used when informal engagement has failed and therefore do not proactively promote them
- The Outcome Improvement Process is not consistently implemented by Public Service Authorities and further monitoring of what a good Outcome Improvement Process looks like is needed

- There are calls to explore a local review and/or national appeals process. However, the majority of Public Service Authorities expressed concern that appeals for participation requests have the potential to impose significant administrative and financial burden on them
- Strengthening the participation requests statutory guidance and promoting a set of participation requests principles have been proposed as a more practical approach than implementing legislation to introduce a local review and/or national appeals process for participation requests

## Conclusion

The Scottish Government introduced Part 3 of the Community Empowerment (Scotland) Act 2015 in 2017 to enable communities to have greater involvement in, and influence, over public sector decisions. This legislation has supported communities to highlight local needs and become more involved in change or improvement at local level. Participation requests were not intended to replace good quality existing community engagement or participation processes.

The impact of participation requests has been assessed considerably since 2017, firstly by an evaluation undertaken by Glasgow Caledonian University in 2020, and Scottish Parliamentary scrutiny by then Local Government and Communities Committee in 2021. The Scottish Government has significantly invested in support for participation requests in response to the recommendations in the two aforementioned reports to increase awareness, understanding, and implementation of participation requests.

Despite Scottish Government investment in supporting the understanding and implementation of participation requests, this review has found that further work is required to ensure there is shared clarity on their purpose and when their use is most appropriate. It has also found that further work could be undertaken by all parties to ensure the experience of utilising a participation request is a positive one with improved outcomes for the local community.

This review found that the legislation is perceived differently by the Public Service Authorities responsible for implementation and the Community Participation Bodies who have used it. On the one hand, Public Service Authorities consider low numbers of participation requests to be a positive outcome as this could indicate that existing community engagement methods are effective. Additionally, some Public Service Authorities reported that receiving a participation request is a failure, as communities should not need to use a statutory route to be involved in discussions about positive change for their community.

On the other hand, Community Participation Bodies feel that participation requests are underutilised and have only gone some way to increase the involvement of communities in decisions and processes aimed at improving outcomes for communities. However, they acknowledge that the legislation has provided a useful framework for communities to turn to, particularly when other informal engagement routes with public authorities have been unsuccessful.

Based on the information available and gathered to inform this review, the use of participation requests legislation remains low with 104 applications made between April 2017 and March 2024, and only 22 out of 77 Public Service Authorities ever receiving one. Therefore, due to the contrasting views on their purpose and use, and the low number of participation requests made since 2017, capturing robust information to define their value and impact remains a challenge.

However, this review has found that participation requests have encouraged Public Service Authorities to be more accessible and transparent by using alternative engagement methods before a formal legislative route needs to be explored. Nevertheless, more work needs to be done by Public Service Authorities to raise awareness of the right to use participation requests, especially with disadvantaged communities. Although existing guidance for promoting and supporting participation requests is working well, it is not being implemented consistently and in some areas the right to make participation requests is not widely known.

This review has identified the need for better understanding of the Outcome Improvement Process by Public Service Authorities and ways to explore how best to share good practice, including the experiences of Community Participation Bodies engaging with the process. Updating the participation requests statutory guidance and creating a set of principles for participation requests is a way in which this might be addressed.

A key part of this review was to investigate the potential need for an appeals or review mechanism for participation requests and there is some support for a local review or national appeals process. However, due to the low number of participation requests and the potential financial and administrative costs of an appeals or review mechanism, the Scottish Government's view is that an appeals or review mechanism would add minimal value to the process at this point. It is anticipated that the requirements identified by this review outlined above could benefit both Community Participation Bodies and Public Service Authorities, more than an appeals or review mechanism could.

It is also important to note that this review of participation requests has been undertaken in parallel with the Scottish Government and COSLA's Local Governance Review which is considering how powers, responsibilities and resources are shared across national and local spheres of government, and with communities. The Local Governance Review's community empowerment engagement process, Democracy Matters findings report, was published in September 2024 and reflects a clear desire to have a greater control over decision making at a more local level and a diversity of views on how to achieve it. The Scottish Government and COSLA's joint statement published alongside the findings report committed to a robust policy development process before an implementation phase in the next Parliament. This work is ambitious in outlook and will deliver new inclusive decision making arrangements which allow communities to take more decisions for themselves, ensures more local control over resource, and better enables everyone, regardless of their background, to participate in civic life.

The Democracy Matters Steering Group has been assembled to ensure that the policy development phase of Democracy Matters proceeds in the same spirit as the engagement process. The group has members from the community sector, local government, equalities groups and other local partners and is taking a co-production approach to model development, ensuring that models deliver on the ambitions set out by communities.

In response to the findings of this review the Scottish Government will:

- undertake engagement with Public Service Authorities, Community Participation Bodies and interested stakeholders on the potential benefits of updating the Part 3: Participation Requests Statutory Guidance
- undertake targeted consultation with Public Service Authorities, Community Participation Bodies and interested stakeholders on the proposal for the adoption of a set of participation request principles
- explore options with Public Service Authorities and Community Participation Bodies on ways to improve understanding of the Outcome Improvement Process and raise awareness of the benefits of participation requests for when their use is required

## Part 5: Asset Transfer

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The [full findings for the review of Part 5: Asset Transfer](#) are available and this section provides a summary of those findings. The [legislative pages for asset transfers](#) are also available.

### Introduction

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This section presents findings from a review of asset transfer as introduced by Part 5 of the Community Empowerment (Scotland) Act 2015. Part 5: Asset Transfer came into force on 23 January 2017 and provided a legislative route for community groups to buy, lease or manage public land or buildings. It was designed to encourage and support ownership and control of assets by communities in situations that recognised the public benefits that community use would bring. Whilst asset transfer was not a new process, the legislation placed new responsibilities on public authorities to respond to their requests in a transparent and timely way.

Asset transfer requests can be made by communities defined in the Act as Community Transfer Bodies, which can represent a geographical community or a community of interest. Community Transfer Bodies must have a constitution which provides that it is open to and controlled by members of that community, and uses its funds and assets for the benefit of that community. Public authorities are defined in the Act as Relevant Authorities and there are currently 95 of these bodies subject to asset transfer legislation. This list can change over time as public authorities can be added or removed as required.

The aim of this review was to present and synthesise findings on the implementation of asset transfer legislation by Relevant Authorities, explore the impact it is having on communities and assess if the asset transfer appeal and review mechanisms are working as intended. Findings have helped to inform what practical or statutory updates might be required for asset transfers to further empower communities.

In the course of conducting this review, it became apparent that there are varying asset transfer recording methods used by Relevant Authorities, and furthermore, that decisions on applications can span reporting years. Given these gaps and complications it has not been possible to provide detailed quantitative breakdowns on asset transfer applications. Therefore, the method of collating data needs to be reviewed to ensure the availability of robust data in the future.

This review was undertaken by the Scottish Government's Public Service Reform Directorate and focused on three key questions:

- Is Part 5 of the Community Empowerment (Scotland) Act 2015 being implemented as intended by Relevant Authorities?
- Is asset transfer legislation empowering Community Transfer Bodies to make a positive difference in Scotland's communities?
- Are the appeals and reviews mechanisms working as intended?

## Summary of Key Findings

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- Relevant Authorities view asset transfer legislation positively and although the legislation can be considered a complex process to navigate, it has provided a useful legal framework and greater consistency nationally
- Asset transfer has helped Community Transfer Bodies achieve benefits for their communities and has provided community groups with a more prominent, rights supported route to the use of land and buildings for community benefit
- The asset transfer process can be challenging for some disadvantaged or smaller Community Transfer Bodies and more work is needed to address inequalities, supported by community development services
- The review found that updates to the asset transfer statutory guidance are required including case studies and questions and answers, and it was suggested that better alignment of the Scottish Public Finance Manual with the asset transfer statutory guidance would be beneficial
- More robust information is required on Relevant Authorities' registers of land as under the asset transfer legislation these should be maintained and made publicly available
- It has been difficult to gather accurate asset transfer data due to variations in local recording practices and more is required to collate robust data to better inform the impact of asset transfer legislation
- The value of peer support at a local level and a targeted model of support for smaller and newer organisations can yield positive results and this approach could be upscaled to other areas of Scotland
- Asset transfer appeals and reviews are working well and despite their complexity and uniqueness, the majority have been upheld
- Significant learning has been gained from the appeal and review reports, not previously available, which include suggestions for procedural improvements
- A UK-wide report found that Scotland is viewed as the most advanced nation in the UK for community asset acquisition due to the legislation in place, and proposed opportunities should be identified to share learning with the other UK nations around what works

## Conclusion

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Prior to Part 5 of the Community Empowerment (Scotland) Act 2015 coming into force in 2017, many Local Authorities and some public bodies had operated successful asset transfer schemes, mainly in relation to property they had identified as surplus for disposal. The Scottish Government introduced Part 5 asset transfer to build on this voluntary approach. The legislation introduced a right for community bodies to make requests to a wide-ranging list of public authorities for any land or buildings, surplus or not, with the proviso that the request would be agreed unless there were reasonable grounds for refusal. This legislation, the first of its kind in the UK, shifted the balance of power towards the community body and ensured that asset transfer was available throughout Scotland. This community-led action to own, lease or manage public land and buildings is a powerful tool for communities to drive change locally and achieve their own goals for the benefit of the community. This review also noted findings from a recent UK-wide report which found that Scotland was viewed as the most advanced nation in the UK for community asset acquisition due to the legislation in place.

It has not been possible to provide detailed quantitative breakdowns on asset transfer activity in this report. Although the majority of public service providers display asset transfer information on a website as required by law, the review found that there are varying recording methods being used and decisions on asset transfers can span reporting years. Given these gaps and complications, a key finding of this review is that more work needs to be done to collate robust asset transfer data to better understand its impact.

Despite the challenges around collating asset transfer data, to provide some perspective on asset ownership, the latest Community Ownership in Scotland Report published in November 2024 provides information on private and public land, buildings and other assets owned by community groups in Scotland. Due to land reform and asset transfer legislation introduced by the Scottish Government, the number of groups who own assets have increased significantly over the last 20 years from 86 groups in 2000 to 533 in 2023 and this equates to 208,597 hectares which is 2.7% of the total land mass of Scotland. Asset transfer ownership is included within these figures; however, numbers for asset transfer lease or management are not.

Although considered a complex process to navigate by many who participated in this review, the asset transfer legislative framework is welcomed as it provides greater consistency of approach across Scotland's public service providers. Additionally, it was reported that it has created greater awareness of the availability of public assets beyond Local Authorities, compared to before the legislation came into force. Another key advantage reported is that it has provided Community Transfer Bodies with a structured and time bound route to the use of public land and buildings, which includes appeals mechanisms to challenge decisions.

This review highlighted the need for more transparency and robust information on the lists of assets published by Relevant Authorities, known as asset registers. It also raised the need for clarification on a number of the technical requirements contained within the legislation is required by Relevant Authorities and updates to the asset transfer statutory guidance were proposed to support this. This review also found closer alignment with other national policies such as the Scottish Public Finance Manual and the Scottish Land Fund would be beneficial.

The Community Ownership Support Service (COSS), who provide an adviser led service for individuals engaging with asset transfer legislation, made a number of suggestions for legislative changes based on their experience working with asset transfer over many years and from information they had gathered from Community Transfer Bodies as part of this review. Examples include changes to the Community Transfer Body membership numbers requirement for asset ownership; setting a minimum working day response target for Relevant Authorities to respond to a formal asset transfer request; and changes to the procedural timescales permitted for the appeals and review processes. However, any changes to legislation would have to be assessed further, including cost implications and impact on Relevant Authorities and Community Transfer Bodies. The National Asset Transfer Action Group could assist with any assessment undertaken.

This review also found that more work needs to be done to support disadvantaged or smaller Community Transfer Bodies. Targeted support from community development services was highlighted as important in this space as well as peer support at a local level. For example, a pilot project undertaken in Barmulloch, Glasgow during 2021 and 2022 enabled a local anchor organisation to provide targeted peer support for 11 small and emerging community groups to engage with the asset transfer process. This highlighted positive results that saw the groups progress their asset transfers and the model could be replicated in other areas in Scotland.

In response to the findings of this review, the Scottish Government will:

- Refresh the remit and membership of the National Asset Transfer Action Group to consider the key findings of this report
- Work collaboratively with Relevant Authorities, Community Transfer Bodies, the refreshed National Asset Transfer Action Group and key stakeholders including COSS, to explore options to strengthen the operation of asset transfers including considering proposals to update the statutory guidance
- Work with Relevant Authorities, COSLA, the refreshed National Asset Transfer Action Group and key stakeholders including COSS to explore options for gathering accurate and robust asset transfer data - including information on assets transferred into community ownership (asset type and area)
- Consider the value of independently evaluating the impact of community asset transfer ownership and lease on local communities and how this is contributing to community empowerment and public service reform

# Assessment of Community Planning

## Part 2: Community Planning

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**Part 2 Community Planning** came into force on 20 December 2016. The **Community Empowerment (Scotland) Act 2015 (the Act)** made significant changes to community planning legislation, previously contained in Part 2 of the **Local Government in Scotland Act 2003**.

The Act introduced a clear statutory purpose for community planning focused on improving outcomes. Community planning became explicitly about how public bodies work together and with the local community to plan for, resource and provide services which improve local outcomes in the Local Authority area, all with a view to reducing inequalities.

The 2015 Act requires Community Planning Partnerships (CPP's) to:

- co-operate with other partners in carrying out community planning
- prepare and publish a Local Outcomes Improvement Plan (LOIP) which sets out the local outcomes which the CPP will prioritise for improvement
- identify smaller areas within the Local Authority area which experience the poorest outcomes, and prepare and publish locality plans to improve outcomes on agreed priorities for these communities
- review and report publicly on progress towards their LOIP and locality plans, and keep the continued suitability of these plans under review
- “contribute such funds, staff and other resources as the CPPs considers appropriate” to improve local outcomes in the LOIP and secure participation of community bodies throughout community planning

It also requires each CPP to take account of LOIPs in carrying out its own functions.

Importantly, not only did the 2015 Act expand the number of public sector bodies that are subject to community planning duties, it placed explicit duties to support shared leadership and collective governance on specified CPPs: the local authority, NHS, Police Scotland, Scottish Fire and Rescue Service and enterprise agencies.

The [community planning statutory guidance](#) provided a renewed vision for community planning and set out a number of ambitious and challenging principles of effective community planning, around the following areas:

- Community participation and co-production
- Tackling inequalities
- Shared leadership
- Governance and accountability
- Understanding of local communities' needs, circumstances and opportunities
- Focus on key priorities
- Focus on prevention
- Resourcing improvement
- Effective performance management

## The Committee's inquiry and findings

In spring 2023 the Local Government, Housing and Planning Committee undertook a [post-legislative scrutiny of the Community Empowerment Act 2015, including specifically Part 2 \(Community Planning\)](#). The Committee's main objectives were to look at the impact the Act has had on community planning and to explore how CPPs respond to significant events such as the Covid-19 pandemic and the cost of living crisis.

The Committee took evidence from a wide range of witnesses including from Joe FitzPatrick, then Minister for Local Government Empowerment and Planning, who gave further evidence to Committee on 5 September 2023. The Scottish Government worked closely with COSLA, the Community Planning Improvement Board (CPIB) and the Community Planning Network (CPN) to inform [its response to the Committee](#) in August 2023.

Given the robust and thorough review undertaken by the Committee, the Scottish Government has taken the evidence given and its findings as the basis for this assessment of Part 2 of the 2015 Act. The Scottish Government has complemented this through engaging with partners to understand the areas where most value can be added to enable community planning to flourish as a lever for reform. As part of the Scottish Government's joint work with COSLA on community planning under the Verity House Agreement (see 'Improvement Work' for more detail), in summer 2024 the Scottish Government reviewed the response to Committee and agreed the findings which will broadly be taken forward, either within the dedicated community planning improvement work, or through wider, interconnected work by other policy areas. These are:

- streamlining complex lines of accountability
- exploring Audit Scotland's routine audit of statutory partners other than Local Authorities, regarding the effectiveness of their participation in community planning
- addressing variation in the standard and effectiveness of CPPs and sharing examples of best practice across CPPs

- helping renew CPPs' focus on the importance of empowerment and participation through identifying opportunities to drive improvement and share best practice, such as increasing the funding provided to the Improvement Service
- refreshing the community planning guidance and ensuring legislative and policy coherence between community planning and priorities such as Community Wealth Building and increasing regionalisation of economic development
- giving early consideration to the role of CPPs in delivering the ambitions of a Community Wealth Building Bill and explore how CPPs can best contribute to increasing regional economic collaboration and encourage collaboration between CPPs within regions
- considering amending the Act to require CPPs to invite the local Third Sector Interface and local anchor organisations to be partners
- considering whether CPPs are sufficiently funded and exploring how CPPs can direct their own resources
- commissioning research into the impact made by CPPs in improving inequalities
- better aligning of outcomes across the public sector, from the Scottish Government's National Performance Framework through to local delivery by statutory partners and considering whether Aberdeen CPP's work to align objectives should be used as a case study and incorporated into the statutory guidance for CPPs
- fostering more sharing of and continuity in CPP leadership and exploring what training is needed to enable effective leadership of CPPs
- incorporating the role of CPPs into the Local Governance Review work being undertaken jointly by the Scottish Government and COSLA

For the reasons set out in the Scottish Government's response to Committee at the time, the following findings are not actively being taken forward because existing legislation and statutory guidance provide sufficient scope to meet the intention of the findings:

- defining the role of CPPs in any national guidance on the local response to emergency situations (such as another pandemic)
- consider how CPPs can best encourage the involvement of the private sector in community planning, for example through Business Gateway which is delivered by Local Authorities

Finally, the Committee found that Scottish Government should explore how it can support community planning by resourcing a network of local community engagement officers within Local Authorities, and by encouraging Local Authorities to ensure they have sufficient community planning officers. Under the Verity House Agreement, Scottish Government has committed to no ring-fencing or direction of funding – resourcing a network of engagement officers would run contrary to this principle. However, it is important that all partners, not just Local Authorities, support the effective and efficient delivery of community planning, including the role of community engagement. This is particularly important for those partners which have additional statutory responsibilities to support shared leadership and governance – many of whom are accountable to Ministers. Scottish Government will ensure that those public bodies that can contribute to community planning play their part.

## Scottish Government assessment of community planning

It is clear that there are areas of excellence where CPPs are embedding the principles of the Act not only in what they're doing but in how: demonstrating clear commitments to shared leadership (for example Dumfries & Galloway CPP), clear outcomes and aligned objectives (for example Aberdeen CPP), transparent structures that enable accountability to communities (for example Aberdeenshire CPP) and in many areas a shift from consultation to new methods that enable greater community participation (including, for example West Lothian CPP, Argyll & Bute CPP).

On the other hand, the Committee's findings demonstrate that there are areas where community planning is less effective. It has been reflected through the Scottish Government's engagement that this is not down to any single stakeholder: what happens at the level of local partners, national bodies and central government all has an impact.

At a local level, a CPP's effectiveness can depend on the ecosystem of partners involved, the quality and meaningfulness of their engagement and the willingness of all partners to share leadership, accountability and budgets. At the national level, there can be variation in the consistency of the contribution to CPPs of public bodies which have the same statutory leadership duties as Local Authorities. There can be a tension between the growing focus on regional approaches (e.g. Regional Economic Partnerships) and community planning, all vying for the same limited resource in national organisations. Finally, key stakeholders, including the Community Planning Improvement Board, have told the Scottish Government that the barriers to effective community planning also stem from the Scottish Government: either from complex, overlapping reporting and accountability structures; to inflexible funding (through ringfencing or through policy direction); and burdensome reporting requirements across a cluttered policy landscape.

## Community Planning as a Lever for Public Service Reform

The Programme for Government 2024-25 recognises that high quality public services improve people's lives here and now, but also play an important role as the first line of defence against longer-term impacts that inequalities have on people, the economy, and public services.

The Scottish Government's public service reform programme provides an overarching approach, principles and structure to improve public services through reform, and ultimately deliver the ambition for services that are place-based, relational and preventative.

Community planning should be a key vehicle through which public service reform can be achieved, enabling effective integration of service planning, provision and community empowerment. CPPs bring together key public services in a place and have the potential to become drivers of the shift to prevention in an area, allowing public services to act together to plan with partners to improve outcomes in communities, in turn reducing the demand on the public purse.

The Verity House Agreement sets out the importance the Scottish Government and COSLA place on community planning. It recognises CPPs as a critical mechanism for the alignment of resource locally, focused on prevention and early intervention, and delivering our shared priorities. It commits the Scottish Government to ensuring that those public bodies that can contribute to community planning, play their part, including in involving local third sector and community bodies in promoting and improving wellbeing. And it reaffirms the role of Scottish Government Place Directors as ambassadors for Local Government and CPPs across portfolios and programmes, building a strong understanding about place-based leadership and the local plans that focus on shared priorities.

At the conclusion of the Local Governance Review the Scottish Government will have agreed detailed models to transform community level decision-making in Scotland and establish alternative governance arrangements in three rural and islands authorities. This work will create more opportunities to further re-invigorate and extend community planning as a vital tool to enhance the collective impact of public services.

## Improvement work

In response to the Committee's findings and to deliver on the commitments in the Verity House Agreement, the Scottish Government and COSLA have prioritised a shared focus on community planning to create the conditions for it to enable place-based reform. The Scottish Government will:

- build a shared understanding and commitment to place-based leadership and local plans which focus on shared priorities, through engagement at senior levels with all CPPs, through Place Directors, the Scottish Leaders Forum and other networks
- encourage increased accountability, and facilitate sharing of information, learning and best practice. This will be done through engagement and joint working to build relationships and networks between those working in community planning

The Scottish Government and COSLA have worked closely with partners including the Community Planning Improvement Board, community planning managers and the Improvement Service to develop the programme of work to deliver on these aims through four main workstreams:

### Accountability

Complex lines of accountability and the lack of independent scrutiny of most public bodies' performance in respect of community planning were key findings in the Committee's inquiry. At the same time, Local Government report shouldering the leadership burden, even though other public bodies also share specific governance duties under the 2015 Act. The Scottish Government will work with the community planning statutory partners sponsored to strengthen the expectations of them as active, effective members of their CPPs, co-operating and contributing such funds, staff and other resources as the CPP considers appropriate to achieve its outcomes.

In addition, the Scottish Government is working alongside Audit Scotland and partners to investigate a method of accountability and scrutiny which expects CPPs to actively participate in planning for a place, holds them jointly and individually accountable against agreed outcomes, and empowers them to deliver.

## Leadership

CPPs are expected to demonstrate collective ownership, leadership and strategic direction of community planning, and to use their shared leadership role to ensure the CPP sets an ambitious vision with and for local communities, involving all partners and resources to deliver on it. Operating in a place-based, relational and preventative way, which CPPs are well-placed to do, demands a collaborative leadership approach.

Reflecting on what Scotland's Public Service Leaders need and are asking in order to achieve this, the Scottish Leaders' Forum has developed a programme of regular, events and engagement exploring what makes great place partnership working, what it means as leaders to be accountable in place opportunities.

Future events, co-designed with partners, will build upon this important conversation and will explore the critical role that CPPs play both in terms of place and in wider public service reform.

## Place Directors

Place Directors are senior civil servants (Scottish Government directors or deputy directors) who volunteer for the role alongside their day-to-day responsibilities. Each Place Director represents Scottish Government in one of Scotland's 32 Local Authority and CPP areas. They provide a bridge between local areas and the Scottish Government, providing two-way intelligence, constructive criticism and, where valuable, support for local capacity building. Their strategic role complements the more detailed responsibility of civil servants in relevant Scottish Government policy teams for testing and supporting how specific policies, services and reform programmes are taken forward in places across Scotland.

The Scottish Government has committed under the Verity House Agreement to refresh the Place Director role, and, through this work, aim to build the capacity of Place Directors to act as strong advocates for reform and place-based leadership, both with their CPP and within their own portfolios in the Scottish Government. Work is underway to engage with Place Directors and to work collaboratively with COSLA and other partners to understand the opportunities and barriers, and to co-design a role which champions relational and preventative ways of working.

## Improving Performance

The Committee was clear that where there are examples of CPPs demonstrating best practice the Scottish Government and COSLA should ensure that this is actively shared across CPPs to help improve standards and address the variation in performance between CPPs. It also found that identifying opportunities to drive improvement and share best practice could help renew CPPs' focus on the importance of empowerment and participation and suggested increasing the funding provided to the Improvement Service.

Sharing best practice, celebrating success and building a strong network of peer support are key ways to create a culture of continuous improvement. Recognising this, the Scottish Government has funded the Improvement Service to work with the Community Planning Managers' Network to:

- support its use as a forum to develop and embed a shared vision for partnership working
- identify the current barriers and exploring ways to strengthen relationships so that more collaborative working across the CPPs can be put into practice
- provide opportunities for mutual support, capacity building, and information exchange to share and embed best practice in community planning in Scotland

A key question in strengthening community planning is understanding what difference the legislation is making, not only to ways of working, but to people's lives. The Scottish Government will commission research to evaluate:

- Community planning's impact on local outcomes
- The features and levers of successful community planning
- The challenges and obstacles to successful community planning

The Scottish Government will complement this analysis with engagement with stakeholders to understand whether the legislation is an effective enabler of the change – to services, systems and behaviours – for community planning to deliver.

Broader understanding of the performance of CPPs will be further enhanced by work which is being undertaken independently by the Improvement Service. Their national self-assessment project will see the majority of CPPs voluntarily participating in a self-assessment evaluation, generating for the first time a rich picture of how CPP's are performing across Scotland. This work will be completed in early 2025 and will be undertaken every two years thereafter to support continuous improvement.

## Whole Family Support

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This improvement work is being further strengthened through the Scottish Government's Whole Family Support Programme. In the Programme for Government 2024-25, the First Minister set out his commitment to introduce additional local flexibility in how existing budgets and services can be reconfigured in pursuit of a whole family approach. To deliver this, the Scottish Government has convened the Whole Family Support Programme to deliver on this commitment and to empower services at a local level. The Scottish Government's vision is to enable services at a local level to wrap themselves around and support families in or at risk of poverty, according to the needs of the family, building integrated, responsive services focused on improving lives.

As part of this, the Scottish Government is working with Community Planning partners to set a clear vision for community planning, strengthen collective leadership and take concrete steps to remove some of the barriers identified that prevent strong collaboration and partnership working. Action is being taken to remove some of the barriers identified to community planning and reform. Most importantly, through the lens of whole family support the Scottish Government is working with partners to transform how funding, policy, reporting, accountability and data enable partners to collectively bring services together around families. Understanding how CPPs can work together to deliver this is a key part of the programme - this cannot be effectively delivered without strong partnership working. The lessons learned from this approach will be able to be applied across the system.

## Wider work

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The improvement work set out above is complemented by wider work in train to remove barriers and enhance systems which will have a positive impact on community planning and includes work to progress the Local Governance Review.

The Scottish Government commits to taking specific actions to respond to the assessment of community planning, including:

- taking action to remove some of the barriers identified to community planning and reform, including work to strengthen collective leadership, transform funding, policy, reporting, accountability and data to enable partners to collectively bring services together around families
- delivering the joint Scottish Government and COSLA Community Planning Shared Priority Improvement Plan

# Updates

The previous two sections provided a summary of the extensive review of Part 3 Participation Requests and Part 5 Asset Transfer and the in-depth assessment of Part 2 Community Planning. This section provides an update on the other eight parts of the Community Empowerment (Scotland) Act 2015. This includes the three parts that have been reviewed in parallel to parts 3 and 5 and the five parts that have not been reviewed. Updates are presented in chronological order.

## Part 1: National Outcomes

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In 2007, the Scottish Government introduced a new outcomes-based National Performance Framework (NPF) and in 2008, launched Scotland Performs, a website designed to present information on how Scotland is performing against the range of indicators outlined in the NPF.

[Part One National Outcomes](#) came into force on 15 April 2016 and puts a duty on Scottish Ministers to determine the national outcomes for Scotland which sets out a vision for collective wellbeing. The [national indicators](#) provide an indication of Scotland's progress in achieving the national outcomes.

The Act requires Ministers to review the national outcomes within five years of their publication. Work on the latest review began in May 2022 and concluded in January 2025. Following the statutory public consultation and further policy work, 13 [draft National Outcomes](#) were laid in front of Parliament.

The NPF is based on the premise that 'what we measure matters', and to do this a series of National Indicators were selected in 2018, to provide an indication of progress to support the use of the NPF in achieving the national outcomes. Ministers have a statutory duty to regularly report on progress towards the outcomes, which is done through the National Indicator Set. To ensure the indicator set remains fit for purpose and focused on measuring progress towards the national outcomes, national indicators will be revised to reflect any changes in the National Outcomes.

Following the review, the Act requires Ministers to consult the Scottish Parliament on the proposed changes during the consultation period, for a minimum of 40 days when the Parliament is not in recess. In consulting the Scottish Parliament, they must also lay before the Parliament a document describing the consultation, any representations received, and how those representations have been taken account of in preparing the proposed revisions.

The recent Consultation with Parliament in connection with the review of the national outcomes was laid before the Scottish Parliament by the Scottish Ministers on 1 May 2024, in accordance with section 2(6) of the Community Empowerment (Scotland) Act 2015. The Public and Finance Administration Committee, published their response in the [Report on the National Performance: Review of National Outcomes](#) on 15 November 2024 and the Scottish Government provided [their response](#) to this on 14 January 2025. In this response and the associated Parliamentary debate on the inquiry, the Deputy First Minister has committed to

**“look again at every aspect of the National Performance Framework to support the development and implementation of a stronger and more strategic and impactful framework for Scotland.”**

Looking again at every aspect of the framework means, in practice, no immediate changes will be made to the NPF, including the National Outcomes and National Indicators, which will not be updated until this work has concluded. It also means that the original proposals made following the Scottish Government’s statutory review that were laid before the Scottish Parliament in May 2024 may be revised.

In both the 2022-23 and 2023-24 Programmes for Government, the Scottish Government committed to exploring a Wellbeing and Sustainable Development (WSD) Bill to support the greater implementation of the National Performance Framework. The results of the [Wellbeing and Sustainable Development Bill: consultation analysis](#) were published on 9 July 2024. Ministers have now decided not to progress with the Government’s WSD Bill due to the need to prioritise limited resources in constrained times. The Government is nevertheless supportive of the general aims and open to considering alternative methods for delivery beyond primary legislation to ensure future generations are better considered in decision-making.

Ministers and officials also continue to engage with Ms Boyack MSP (Labour) who, having secured the necessary cross party support in Parliament, plans to introduce a WSD Members’ Bill, including the creation of a Future Generations Commissioner. The Government notes the recent recommendations from the Finance and Public Accounts Committee on Scotland’s Commissioner landscape, including for a moratorium on the creation of new commissioners until the operational framework is reviewed to make it fit for purpose.

## Part 4: Community Right to Buy Land

[Part 4 - Community Rights to Buy Land](#) came into force on 15 April 2016. The Act extended the community rights to buy (CRTB) to all of Scotland and introduced a new provision for community bodies to purchase neglected, abandoned or detrimental land where the owner is not willing to sell. This was inserted as Part 3A of the Land Reform (Scotland) Act 2003.

There have not been any successful Part 3A applications to date (the new right to buy that was brought in by this Act). The Act also widened the rights to buy to urban communities. Since April 2016, there have been 44 applications for Community Right to Buy that have been approved by Scottish Ministers.

A review of all of the community rights to buy has been announced and commenced in the summer of 2024, and conclusions will be announced in December 2025. It is proposed that all the Rights to Buy from various pieces of legislation are to be reviewed at the same time to ensure as much consistency as possible between each of those rights. This review will include feedback from all stakeholders such as community groups, support organisations, Local Authorities, property lawyers and landowners.

The review is being conducted in four phases:

- Phase 1 – Initial collection of evidence and views to be completed Autumn 2024
- Phase 2 – Assessment and development of proposals to be completed Spring 2025
- Phase 3 – Formal consultation to be completed Autumn 2025
- Phase 4 – Development of proposals to be completed end 2025

More detail on each of the phases can be found on the Scottish Government [Land Reform](#) website.

## Part 6: Delegation of Forestry Commission's Functions

[Part 6 Delegation of Forestry Commission's Functions](#) came into force on 23 January 2017, to amend the definition of communities bodies in the Forestry Act 1967 in Scotland. The 1967 Act has been superseded by the [Forestry and Land Management \(Scotland\) Act 2018](#) which confers on the Scottish Ministers forestry and land management functions in Scotland. Therefore Part 6 of the 2015 Act is no longer relevant, as the 1967 Act was repealed by the 2018 Act. The 2015 Act sets out the definition of community bodies as it applies to the Scottish Ministers land, including the national forests and land, so a review of Part 6 was not required.

Forestry and Land Scotland published its [Communities Strategy for Scotland's National Forests and Land](#) in October 2023, setting out three key principles as a framework for its priorities for working with communities on the national forests and land. The strategy also provides examples of existing community initiatives, projects and asset transfer of the national forests and land, and is an open invitation for groups to come forward with ideas on how Scotland's national forests and land can benefit the wider communities they are part of.

Community asset transfers of national forests and land have been integral to the creation of businesses, tourism and recreation opportunities and to establishing affordable housing, woodland crofts and community hydro renewable energy schemes. The 27 transfers completed to date include:

- small areas of land and buildings within the national forests such as the site for the [Scottish Crannog Centre's](#) new museum and visitor centre by Loch Tay, the [Argyll Beaver Centre](#) in Knapdale run by the Heart of Argyll Wildlife Organisation and [Slattadale](#) by Loch Maree to provide an outdoor education facility for Gairloch High School and local primary schools
- new community woodlands ranging from six to 200 hectares such as the [Carron Valley Community Woodland](#), [Friends of Glenan Wood](#), Portavadie, [Carsphairn Community Woodland](#) and [Ardura Community Forest](#) on Mull and most recently [Longrigg Wood](#), Strontian for community objectives including biodiversity, income from sustainable timber and wood fuel production, outdoor education and to provide a space for the community to come together
- land for communities of interest such as the [Arran High School Mountain Bike Club](#) new pump track and skills trails in Dyemill Forest and [Lochgoil Watersports Club](#) acquiring their boatyard, originally established 40 years ago under a lease the then Forestry Commission
- leases for two new hydro schemes, established by [Raasay Development Trust](#) at Inverarish and [Lochaber Environment Group](#) at Glenachulish, adding to the five existing community hydro schemes on the national forests and lands, generating income to deliver community projects and action plans
- the creation of woodlands crofts and affordable housing by [Glengarry Community Woodlands](#), in partnership with the Communities Housing Trust, well as sites for affordable housing such as Rural Stirling Housing Association's planned development at Balmaha

Communities are making use of the national forests and land to create new facilities such as Laggan Forest Trust's new mountain bike trail ([New Blue Trail for Laggan Wolftrax bridges a trail gap](#)), the [Mull Community Native Tree Nursery](#), allotments at [Lesmahagow](#) and Fort William, and the [Wyvis Natural Play Park](#) by Garve. FLS also works with active community groups who want to be more involved in managing the national forests and land such as the [Kilsture Forest Community Group](#), the [Carradale Forest Group](#) with East Kintyre Community Council, and through wider partnerships such as the [Strathard Partnership](#).

## Part 7: Football Clubs

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[Part 7 Football Clubs](#) has not been implemented but provides a power for Scottish Ministers to make regulations which facilitate supporters of a football club being involved in the decision making of the club they support, or to become owners of the club they support.

Fan ownership is a well-established ownership model for sport clubs, particularly in Scandinavia and Germany, and is increasingly popular in Scottish football with a number of clubs, including Motherwell, Heart of Midlothian, and St Mirren in the Premier League, as well as a number of other clubs further down the football pyramid, taking this route. Recognising the benefits of this model, the Scottish Government launched a [Fan Bank](#) in May 2023 which is a loan funding scheme to help fan groups purchase a share in their local sports club, thereby supporting community ownership. This scheme can be operated without legislation, as would any wider scheme which similarly offered financial support for facilities.

The scheme was launched with an interest free loan of £350,000 which was provided to Falkirk Supporters Society in May 2023. This enabled them to increase the shareholding of small shareholders in the club to one third, thus protecting it from any future unwanted takeovers and providing security for the club going forward.

There is no dedicated budget for the Fan Bank, given the demand-led nature of the scheme. The scheme was being taken forward on a planning assumption of around £500,000 per annum from the financial transactions budget to provide support for loans, with the intention of being able to flex this according to demand. Financial transactions are used to support loan or equity investment in bodies outside the public sector.

While the Scottish Government had been in discussions with other supporter groups regarding potential support from the Fan Bank, the scheme has needed to be paused at present due to the significant reduction in the financial transactions budget for the Scottish Government, meaning there is no budget available to support further Fan Bank loans at present. It is the Scottish Government's intention to reopen the scheme to bids when budgets allow for this. Whilst it is most likely to be football fan groups that look to take advantage of the scheme, there is no reason in principle why it could not be used in other sports and the Scottish Government would welcome discussions with interested fan groups.

## Part 8: Common Good

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The concept of ‘common good’ property has its origins in the Middle Ages where local communities used areas of land/property for communal purposes. The Common Good Act 1491 – still in force today – provides legal status to common good assets and creates an obligation that they be managed for the benefit of the citizens of (what was) the former royal burghs in Scotland. The Local Government (Scotland) Act 1973 (1973 Act) brought an end to the burgh system in 1975 by abolishing the town councils which had responsibility for the burghs. Their common good assets were, however, transferred to the new district or island councils and, in 1996, to the current unitary Local Authorities (Local Government etc. (Scotland) Act 1994 (1994 Act)).

[Part 8 Common Good Property](#) came into force, in part, on 13 November 2015, with the remainder coming into force on 27 June 2018. It places a statutory duty on Local Authorities to establish and maintain a register of all property held by them for the common good, and to publish their proposals and consult community bodies before disposing of, or changing, the use of common good assets.

Common good assets are the heritable (land and buildings) and moveable (things which are not heritable for example paintings, furniture, etc). All common good property falls into one of two categories – alienable or inalienable. Alienable property can be sold, leased or otherwise disposed of in a permanent or semi-permanent way that reduces public use. A Local Authority can change the use of an alienable asset without needing to get consent from a court. Inalienable property cannot have its use changed or be sold, leased or otherwise disposed of without a court order. Inalienable property tends to include town halls, market squares, parks or greens, and churches, although the status of each asset needs to be individually determined and cannot be assumed common good assets are owned by the Local Authority, although administered separately from other Local Authority funds for accounting purposes.

Due consideration has been given to both the feedback received in relation to common good via 2023 [consultation on Community Wealth Building](#), as well as the earlier Scottish Land Commission’s report [Delivery Greater Benefit from Common Good Land and Buildings](#) in September 2019. The Scottish Government will continue to review the operation of the statutory requirements relating to common good property, including the opportunity for members of the community to participate in decision-making relating to the common good.

## Part 9: Allotments

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[Part 9 Allotments](#) came into force on 1 April 2018. Allotments can provide safe, healthy spaces where anyone with an interest in learning about, and participating in the act of growing food or flowers can do so. They contribute to the Scottish Government's goal of Scotland becoming a Good Food Nation by enabling people from all walks of life to enjoy and learn about nutritious and healthy food.

In recognition of this, Part 9 of the Act consolidated, updated and simplified legislation on allotments, bringing it together in a single piece of legislation. It requires Local Authorities to take reasonable steps to provide more allotments if waiting lists exceed certain trigger points and ensures appropriate protection for Local Authorities and plot-holders.

In 2022, then Local Government Housing and Planning (LGHP) Committee undertook an inquiry into the Act's impact on improving access to community food growing spaces. Published on 5 October 2022, their report highlighted demand for allotments and growing spaces which is not being met. It also set out recommendations for the Scottish Government and proposed actions for Local Authorities.

Whilst there have been many positive developments made since the Act came into force, it is difficult to measure its impact on allotment provision. The number of allotment sites vary greatly across the country, as does demand and the subsequent length of waiting lists for existing sites. The Scottish Government is not required to collect data published by Local Authorities relating to allotments, nor are Local Authorities required to update Scottish Ministers on the publication of these data.

Work to support Local Authorities meet their legislative responsibilities under Part 9 was already underway, running parallel to this review. As well as considering recommendations from the Committee which are within the Scottish Government's competence, work is underway to identify alternative cost and resource efficient ways to support Local Authorities to meet Part 9 legislative requirements. This includes arranging workshops for Local Authority officers with responsibility for delivering statutory duties relating to allotments. The recent workshops explored the duties imparted by Part 9 and ways to empower ongoing knowledge exchange and sharing of best practice between Local Authority officers. A summary report of the workshops is expected imminently which will inform the Scottish Government's next steps, working in partnership with Local Authority officers.

The Scottish Government remains fully committed to building and strengthening relationships with Local Authorities, by providing helpful support and encouragement, to empower them to decide themselves how best to carry out the functions conferred on them by Part 9.

## Part 10: Participation in Public Decision Making

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[Part 10 Participation in Public Decision Making](#) has not been implemented in its entirety; however, it remains an option to provide a power for Scottish Ministers to make regulations to promote or facilitate participation in public decision-making, including in decisions on the allocation of resources.

The Scottish Government believes that involving people and communities in making decisions builds community capacity and can help the public sector target budgets more effectively by indentifying community priorities. Part 10 was developed as a response to calls to legislate for participatory budgeting (PB). The implementation of PB in Scotland over the past decade, without specific legislation, is perhaps an illustration that legislation may not always be the optimal approach.

PB is recognised internationally as a way for local people to have a direct say in how local money is spent. The Scottish Government supports PB as a tool for community engagement and as a resource to build on the wider development of participatory democracy in Scotland.

The [PB Charter for Scotland](#) sets out principles and good practice for communities to vote on priorities that matter to them. It aims to ensure PB is inclusive, uses good quality methods and is truly participative. The [National PB Strategic Group](#) produced Scotland's [National PB Framework](#) which was published in July 2021 to support the drive for PB across Scotland.

In addition, following a [PB Framework Agreement](#) between the Scottish Government and COSLA, since 2021, more than 110,000 people have taken part in participatory processes and directly decided on how £154 million worth of Local Authority budgets have been spent. PB continues as an important element of participatory practice across Scotland and is an example of national and local governments working together to build innovative approaches.

As well as Local Authority PB activity, since 2022-23, over 47,000 voters from across the north east of Scotland in Moray, Aberdeenshire and Aberdeen City have voted to distribute £3.5 million capital funding from the [Just Transition PB Fund](#) for 145 successful projects. The Fund provides a meaningful opportunity for communities to put forward projects that match local needs and priorities to create a greener region. PB is helping to ensure that the voices, perspectives and priorities of local communities are heard, especially those with little engagement on climate change, but who may be particularly vulnerable to its impacts. PB directs funds into communities to help them decarbonise and to play a full part in a just transition as well as raising awareness about energy transition and increasing engagement.

In Scotland, two full [citizens assemblies](#) have been delivered, effective use of service design has been developed and a significant number of other forms of participation that are more deliberative, provide participants with both evidence and support to contribute, such as citizen juries, mini-publics, lived experience panels along with increased access to digital tools.

To embed these forms of participation a working group on [Institutionalising Participatory and Deliberative Democracy](#) (IPDD) was established and the Scottish Government is continuing to work towards delivering the core recommendations of their work when resources permit. Any future focus on Part 10 will take account of the IPDD work and the Local Governance Review's Democracy Matters approach to supporting greater community decision making.

## Part 11: Non-domestic rates

Non-Domestic Rates are a property tax affecting a wide range of properties (for instance, shops, offices, billboards, schools and hospitals) and levied on all sectors – public, private (e.g. limited companies, partnerships and self-employed sole traders) and charitable.

[Part 11 \(Non-domestic rates\)](#) inserted section 3A in the [Local Government \(Financial Provisions etc.\) \(Scotland\) Act 1962](#) and came into force on 31 October 2015. This provided a new power to allow Local Authorities to create their own localised non-domestic rates relief schemes to better reflect local needs, and to support communities. Before introducing a relief, the Local Authority must have regard to its expenditure and income and the interests of persons liable to pay council tax set by it. Significant use was not made of local relief powers when they were introduced.

However, on 1 April 2023, empty property relief was devolved with a concurrent financial transfer to Local Authorities to spend as they see fit including on any local relief schemes for empty property should they wish to do so. Any local relief awarded to empty properties is delivered through local discretionary powers under section 3A of the Local Government (Financial Provisions etc.) (Scotland) Act 1962. Further, Green Freeports relief will also be discretionary and delivered under section 3A of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, with compensating funding mechanisms for Local Authorities in place via the local government finance settlement.

In addition to existing local relief powers, Local Authorities also have powers to make discretionary awards of certain reliefs, such as charitable rates relief or hardship relief, allowing them to tailor support based on local need, with Scottish Government generally funding 75% of the cost of discretionary relief.

Local Authorities also have powers to refuse mandatory relief if they deem the property in receipt of the relief not to be in use, or to be underused, under section 20 of the [Non-Domestic Rates \(Scotland\) Act 2020](#). Further, in partnership with Local Government and other key stakeholders, the Scottish Government developed the [The Non-Domestic Rates \(Miscellaneous Anti-Avoidance Measures\) \(Scotland\) Regulations 2023](#) under the powers conferred by the Non-Domestic Rates (Scotland) Act 2020. The use of these powers by Local Authorities is regularly monitored.

Given the wide-ranging local relief-making powers introduced by Part 11 and the ongoing use made of these powers by Local Authorities including in respect of relief for empty properties, this part was not reviewed.

# Conclusion and Next Steps

**This report has provided findings from a review Parts 3 and 5 of the Community Empowerment (Scotland) Act 2015 to help inform what practical or statutory changes might be required to further empower communities. It has also provided details of an assessment of Part 2 Community Planning. Whilst this report has had a particular focus on legislation supporting community participation, community ownership of public assets and community planning, updates have been provided for all parts of the Act.**

Overall, the findings of this report has concluded that the legislation has helped to make significant progress in supporting the empowerment of communities across Scotland. Nevertheless, to support further community empowerment and prioritise prevention, the review of Part 3 and Part 5, and the assessment of Community planning have identified that further work is required to maximise the potential of the legislation. More detail on next steps for each part of the Act are outlined within the relevant sections above, however the Scottish Government commits to taking specific actions to respond to the findings of this work, including:

- taking action to remove some of the barriers identified to community planning and reform, including work to strengthen collective leadership, transform funding, policy, reporting, accountability and data to enable partners to collectively bring services together around families
- delivering the joint Scottish Government and COSLA Community Planning Shared Priority Improvement Plan
- undertaking engagement with Public Service Authorities, Community Participation Bodies and interested stakeholders on the potential benefits of updating the Participation Requests Statutory Guidance
- undertaking targeted consultation with Public Service Authorities, Community Participation Bodies and interested stakeholders on the proposal for the adoption of a set of participation request principles
- exploring options with Public Service Authorities and Community Participation Bodies on ways to improve understanding of the Outcome Improvement Process and raise better awareness of the benefits of participation requests for when they are needed
- refreshing the remit and membership of the National Asset Transfer Action Group to consider the key findings of this report
- working with Relevant Authorities, COSLA, the refreshed National Asset Transfer Action Group and key stakeholders including COSS to explore options for gathering accurate and robust asset transfer data - including information on assets transferred into community ownership (asset type and area)

- working collaboratively with Relevant Authorities, Community Transfer Bodies, the refreshed National Asset Transfer Action Group and key stakeholders including COSS, to explore options to strengthen the operation of asset transfers including considering proposals to update the statutory guidance
- considering the value of independently evaluating the impact of community asset transfer ownership and lease on local communities and how this is contributing to community empowerment and public service reform

# Annex A

## Summary of the Community Empowerment (Scotland) Act 2015

Title & Date Implemented	Summary of what it covers
<b>Part 1:</b> National outcomes - Implemented 15 April 2016	Scottish Ministers have a duty to determine a set of national outcomes for Scotland, which builds on the 'Scotland Performs' framework.
<b>Part 2:</b> Community Planning - Implemented 20 December 2016	Places Community Planning Partnerships (CPPs) on a statutory footing and imposes duties on community planning (CP) partners around planning and delivery of local outcomes.
<b>Part 3:</b> Participation Requests - Implemented 1 April 2017	Participation Requests provides a mechanism for communities to seek dialogue with public service providers on their own terms, when they feel they can help to improve outcomes. It gives them a right to be heard. Participation requests are focused on extending and improving community participation in improving outcomes for their community.
<b>Part 4:</b> Community Right to Buy Land – Implemented 15 April 2016	Extends the community right to buy (CRTB) to all of Scotland and introduces a new provision for community bodies to purchase neglected, abandoned or detrimental land where the owner is not willing to sell that land. It introduces a range of measures to amend, and in some areas simplify, thecrofting community right to buy. It introduces a provision for community bodies to purchase land which is abandoned, neglected or causing harm to the environmental wellbeing of the community, where the owner is not willing to sell that land.
<b>Part 5:</b> Asset Transfer – Implemented 23 January 2017	Provides community bodies a right to request to purchase, lease, manage or use public land and buildings. There will be a presumption of agreement to requests unless there are reasonable grounds for refusal. Reducing inequalities will be a factor for public authorities to consider when making a decision.

Title & Date Implemented	Summary of what it covers
<b>Part 6:</b> Delegation of Forestry Commission's Functions – Implemented 23 January 2017	Amend the meaning of 'community body' in the Forestry Act 1967, in relation to the delegation of the Forestry Commissioner's Function.
<b>Part 7:</b> Football Clubs - Not Implemented	Provides powers for the Scottish Minister to make regulations which facilitate supporters of a football club being involved in the decision making of the club they support or to become owners of the club they support.
<b>Part 8:</b> Common Good Property came into force, in part, on 13 November 2015, with the remainder coming into force on 27 June 2018	Places a statutory duty on Local Authorities to establish and maintain a register of all property held by them for the common good and publish their proposals and consult community bodies before disposing of or changing the use of common good assets.
<b>Part 9:</b> Allotments – Implemented 1 April 2018	Updates and simplifies legislation on allotments. It requires Local Authorities to take reasonable steps to provide more allotments if waiting lists exceed certain trigger points and ensures appropriate protection for Local Authorities and plot-holders.
<b>Part 10:</b> Participation in Public Decision Making - Not Implemented	Provides a power for Scottish Ministers to make regulations to promote or facilitate participation in public decision-making, including in decisions on the allocation of resources.
<b>Part 11:</b> Non-domestic rates – Implemented 31 October 2015	Inserts a new section in the Local Government (Financial Provisions etc.) (Scotland) Act 1962. This provides a new power to allow councils to create and fund their own localised non-domestic rates relief schemes to better reflect local needs and support communities.
<b>Part 12:</b> General - not implemented	Makes general provisions in relation to the Act. The guidance developed for each Part of the Act has been published in accordance with Part 12. Additional regulations have not yet been introduced.





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The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-83691-410-5 (web only)

Published by The Scottish Government, March 2025

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS1553694 (03/25)

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