

PE1722/I

Scottish Government submission of 2 March 2020

The Scottish Government published the National Islands Plan on 27 December 2019. Despite the short legislative deadline enforced by the Islands (Scotland) Act 2018, the Islands Team undertook a comprehensive and wide-ranging consultation process at ground level with island communities and stakeholders. This process took time to do properly but we wanted to be sure to hear directly from islanders themselves and doing so has provided us with valuable input to the final Plan.

Due to these tight legislative deadlines, Section 8 of the Islands (Scotland) Act 2018, which refers to the Island Communities Impact Assessments (ICIA), has not yet been commenced. However, work on guidance and templates for this provision is being progressed in tandem with work on the Implementation Route Map with a view to ensuring it is commenced as soon as possible. In particular, guidance has now been drafted by the Islands Team and is currently under discussion with Scottish Government Legal Directorate. It is important to note that Section 9 “Review of Decisions Regulations” will require to be enacted before the guidance can take effect. A refreshed Policy Instruction is being prepared for these Regulations.

The expectation is that the Regulations and Guidance will come into force by Spring 2020. It is clear however that this timeframe will be challenging, but every endeavour will be made by the Islands Team to expedite both the Regulations and the Guidance.

Although the requirement to carry out an ICIA has not yet been formally commenced, the expectation is that, where possible, Scottish Government should be operating in the spirit of the Act and taking island issues into account when developing or reviewing policies, strategies or services. The Islands Team is assisting their Scottish Government colleagues in the interim period with advice on whether to carry out an ICIA.

The Scottish Government’s Islands Team will also continue to liaise closely with local authorities, island communities and relevant stakeholders to ensure that the ICIA work is developed in a fully collaborative manner.

In the context of their wider parking policies the provisions of the Road Traffic Act 1991 provides local authorities with powers to develop specific parking schemes where they regard this as appropriate for particular areas. However during the implementation of a Traffic Regulation Order (TRO), a Council is required to consult with stakeholders as part of the statutory process, and we would therefore expect an impact assessment to be carried out to consider the overall impact on the local community of the relevant proposals. Local authorities are independent corporate bodies and as such, Scottish Ministers have no remit to intervene in their day to day duties.

Local authorities also have a responsibility to ensure that they regularly review their parking policies, including their enforcement arrangements. By reviewing their policies and arrangements they enhance their accountability to local residents, as well as monitoring the effectiveness and value of parking controls to ensure that they are responsive to public needs.

The vast majority of funding to local authorities from the Scottish Government is provided via a block grant and we do not stipulate how local authorities should utilise their individual allocations. It is therefore the responsibility of each local authority to manage their own budget and to allocate the financial resources available to them on the basis of local needs and priorities, having first fulfilled their statutory obligations and the jointly agreed set of national and local priorities.

The Scottish Government recognises the pressures on local authorities arising from arrangements put in place prior to the reconvening of the Scottish Parliament in 1999. Scottish Ministers continue to ensure that our partners in local government receive funding support for internal ferry services, through the annual GAE calculation and additional funding, despite significant real terms cuts having been made to the Scottish Budget by the UK Government.

It is the responsibility of individual local authorities to manage their own budgets and to allocate the total financial resources available to them, including on ferry services, on the basis of local needs and priorities, having first fulfilled their statutory obligations and the jointly agreed set of national and local priorities. Ultimately, it is for locally elected representatives to make local decisions on how best to deliver services to their local communities.