

## WHO HOLDS THE POWER –Who is responsible for what?

### New Powers

Scotland already has a devolved Parliament with powers over things that affect daily life, like health, education and the emergency services. The new powers the Scottish Parliament are going to have will make it one of the most powerful devolved parliaments in the world.

- The Scotland Act is written in terms of reserved powers. It prescribes everything over which the Westminster Parliament retains control. All remaining areas were transferred to the Scottish Parliament i.e. they are devolved areas. This helped maximise the areas over which the Scottish Parliament has control.

**The UK Parliament will still be responsible for areas where Scotland benefits from a UK-wide approach. These include:**

- Foreign Policy
- Defence
- National Security
- Macro Economic Policy
- Financial Policy
- Currency
- Pensions
- Unemployment Benefits
- Child Benefit
- Energy
- Immigration and Nationality
- International Development

**The devolved areas over which the Scottish Parliament have control include:**

- Health
- Education and training
- Police, Courts and Prisons
- Public Transport
- Environment
- Setting Income Tax Rates
- Local government
- Holyrood Elections
- Employment Support Programmes



- A Wide Range of Benefits
- Economic Development & Business Support
- Housing and Planning
- Sports and Arts
- Agriculture, Forestry and Fishing
- Social Work
- Tourism
- Passenger and aspects of transport
- Scots criminal and civil law

### Local Government

Local government in Scotland performs a range of functions. It is perhaps best known as a service provider, delivering services such as:-

- Education
- Leisure and recreation
- Social services
- Housing
- Street cleaning
- Refuse collection

Local authorities also play a regulatory role:-

- Issuing licenses to - for example – taxis and pubs
- Providing regulatory services such as trading standards and environmental health

In addition local authorities in Scotland have a range of mandatory and permissive powers.

Mandatory powers include:

- The provision of schooling for all 5- to 16-year olds;
- Provision of fire cover;
- Promotion of social welfare (for example, social work services);
- Provision of housing for the homeless;
- Initiating and facilitating Community Planning.

Permissive powers are those which they are legally allowed to exercise, but are not required to do so. These include:

- Giving permission for civil marriages to take place in venues other than local registrars' offices;
- Promoting economic development;
- Promoting arts and tourism;
- Producing local bye-law in areas specified by ministers;
- Cutting service provision, as long as it does not interfere with statutory obligations.



Within all of these categories of responsibility, whether at local or national level, there are many and various ways where community participation can contribute to and work in partnership to deliver services as well as influence decision making and legislation.

Communities have their own decision making groups and processes, often very specific to certain aspects of community life;

- Project management committees
- Local sports groups/ committees
- Residents and tenants groups
- Community councils
- Parish councils
- Parent/teacher groups

Local residents participate in these groups to govern and develop the project, programme or community and to actively participate in changing how things happen or are delivered at a local level.

