
Report to Clackmannanshire Council

Date of Meeting: 12 January 2017

Subject: Scheme for the Establishment of Community Councils

Report by: Head of Strategy & Customer Services

1.0 Purpose

- 1.1. The purpose of this report is to obtain approval to review the Scheme for the Establishment of Community Councils to allow for revisions in keeping with changing circumstances.

2.0 Recommendations

- 2.1. It is recommended that Council:
- 2.1.1. agrees to propose a new Scheme for the Establishment of Community Councils
- 2.1.2. agrees to give public notice of its intention to revoke the existing scheme and make a new scheme, inviting the public, within a period of not less than eight weeks from the date of the notice, to make suggestions as to the areas and composition of the community councils in Clackmannanshire.

3.0 Considerations

- 3.1. According to the Local Government (Scotland) Act 1973, the general purpose of a community council, in addition to any other purpose which a community council may pursue, is to ascertain, co-ordinate and express to the local authorities for its area the view of the community which it represents and to take such action in the interests of their community as appears to the community council to be expedient and practicable.
- 3.2. To ensure that Community Councils have a framework within which to exist and operate, Clackmannanshire Council has a statutory duty to draw up a Scheme for the Establishment of Community Councils (the Scheme) containing provisions such as community council boundaries, composition, and arrangements for elections, meetings and financing. The Scheme has precedence over and dictates the content of the other governing documents, such as the Community Council constitution.

- 3.3. Following the last revision to Clackmannanshire Council's Scheme in 2011, the Council committed to reviewing the contents and its effectiveness following the 2016 community council elections. These took place in October 2016.
- 3.4. The current Scheme is effective in maintaining the principles underlying highly democratic community councils however feedback from community councils over the course of the intervening period indicates that there is further scope to modernise community council governance to make it more inclusive, and better enable participation in local democracy.
- 3.5. The timing of the proposed review follows a period in which community councils have led and engaged in considerable amount of debate around the Strengthening Local Democracy agenda and on the implications of the Community Empowerment Act 2015.
- 3.6. Public consultation on revisions to this document is a statutory requirement. It is also an opportunity to highlight the role of Community Councils in their communities and raise awareness of their role in local democracy
- 3.7. Clackmannanshire has provision for nine Community Councils, all of which are currently active. They are Alloa, Alva, Clackmannan, Dollar, Menstrie, Muckhart, Sauchie & Fishcross, Tillicoultry, Coalsnaughton & Devonside and Tullibody, Cambus & Glenochil.

Revisions to the Scheme

- 3.8. Revision of the document will allow scope for amendments which will bring it up-to-date with current circumstances locally.
- 3.9. The statutory consultation is also an opportunity for present-day attitudes to local community organising and representation to be examined and used to inform decisions on community council governance.
- 3.10. The Council will work with community councils to promote to the public the opportunity to express their views using a range of methods including an online questionnaire and face-to-face dialogue.

Process

- 3.11. The steps involved in this process and proposed timescales are laid out in paragraph 5.2 below.
- 3.12.

<i>Date</i>	<i>Step</i>
<i>January 2017:</i>	Council agrees to revoke existing Scheme.
<i>February 2017:</i>	Public notice of intention to revoke existing Scheme and statutory minimum 8-week public consultation inviting the public to make suggestions as to the areas and

composition of the community councils.

- June 2017:* Council meeting considers the outcome of the consultation, recommendations arising from comments gathered during the public consultation and the contents of a draft new Scheme.
- August 2017:* Public notice of second statutory minimum 8-week public consultation inviting the public to make representations on the aspects of governance of community councils and their relationship with Clackmannanshire Council which the Scheme details.
- December 2017:* Council consider any revised draft proposals on the contents of a proposed new Scheme. If there are none, Council may consider adopting a new Scheme.
- February 2018:* If required, the public will have a 4-week period in which to make any final representations on the proposed document.
- April 2018:* Council will consider any final representations and will formally adopt a new Scheme.
- April 2018:* Public notice of the adopted Scheme and invitation for electors to apply for establishment in areas where no community council exists.

3.13. The eventual Scheme is timetabled for implementation in 2018.

4.0 Sustainability Implications

4.1. There are no direct sustainability implications arising from this report.

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

- | | |
|--|--------------------------|
| The area has a positive image and attracts people and businesses | <input type="checkbox"/> |
| Our communities are more cohesive and inclusive | X |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input type="checkbox"/> |
| Vulnerable people and families are supported | <input type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | X |

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes No

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers


11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
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