



Consultation on the Scheme for the Establishment of Community Councils

Appendix 1 - Summary of final representations

	<b>Public Feedback (summary)</b>	<b>Council response</b>	<b>Action</b>
<b>Eligibility</b>	<p>General agreement with the amendment that Council staff are eligible unless they are refused permission to become a community councillor, but reservations about council employees' eligibility due to conflict of interest. Suggestion they should be ineligible to protect themselves and the Council.</p>	<p><i>Concerns on the potential for conflicts of interest are valid and noted. Clackmannanshire Council wish to make it easy for our staff who live in the county to volunteer in their own neighbourhoods. Although the nature of some posts would create a conflict of interest, it is not the case for the majority of posts. There are guidelines on how to proceed in the event of a conflict of interest both for staff and for community councillors.</i></p>	<p>Proceed with amendment.</p>
<b>Mini elections</b>	<p>Comments both in agreement and in disagreement with amendment not to introduce the mini election option.</p> <p>Disagreement on the grounds that</p> <ol style="list-style-type: none"><li>i. it is a democratic way of replacing members who resign through illness etc</li><li>ii. it is neither difficult nor expensive, would allow the removal of the co-option clause (9) and it would avoid the need for the Council to arrange interim elections more frequently</li><li>iii. there needs to be a way to fill places not filled at an election, especially if elections are every 4 years</li></ol>	<p><i>The 2nd stage of consultation showed no public appetite for the community council election process itself except that it must have the confidence of the community. The grounds for not adding the mini-elections option were that the potential problems of having two different types of election could undermine their primary use as a democratic way of filling vacancies.</i></p> <p><i>There is no change to the Council's commitment to administer interim elections where necessary.</i></p>	<p>Provide written good practice guidance for open and transparent method of filling casual vacancies.</p> <p>Proceed with amendment</p>

ESTABLISHMENT New comments	<p>Para 3 should read</p> <p><i>“If in any particular area nominations are received for less than 50% of the possible maximum permitted number of elected members, no community council will be formed.”</i></p> <p>There needs to be a two stage nomination process for establishment to give a better chance of reaching maximum numbers.</p>	<p><i>The suggestion to amend the reference to the number of elected community councillors is accepted.. The wording should be consistent with that of Clause 4. <b>Boundaries and Membership</b>. The area referred to throughout the Clause is the community council area, so the first suggested amendment is not necessary.</i></p> <p><i>The proposed content of the Scheme allows the Council to work flexibly to ensure the nomination process is suited to the needs of the area and gives electors who wish to establish a community council in their area the best chance to succeed.</i></p>	Re-word reference to number of elected community councillors.
FILLING CASUAL VACANCIES New comments	Replace 'filling a vacancy can be undertaken through the process of co-option...' with 'filling a vacancy may be undertaken through the process of co-option...'	<i>Accepted. The suggested wording avoids ambiguity.</i>	Replace the word 'can' with the word 'may'.
FIRST MEETINGS	Agreement with amendment that RO can designate another officer to attend on proviso that the designated officer must be competent	<i>Suggestion to specify that designated officer must be suitable for the role is accepted</i>	Amend the final sentence.
DISSOLUTION:	Agreement with amendment to clarify conditions of Council involvement.		Proceed with amendment
RESOURCING:	Agreement with amendment to reduce disproportionate audit burden on ccs.		Proceed with amendment
METHODS OF ELECTIONS New comments	Regular elections second call for nominations –The first sentence should read:-“Should the number of nominations be below HALF the total maximum ....& etc.”	<i>Candidates are not 'elected' until there are enough to form a community council so the suggestion to amend Clause 7 is accepted.</i>	Replace 'candidates elected' with 'candidates nominated'

	<p>Reservations that places not filled at regular elections cannot be filled except at a regular election due to difficulty maintaining minimum numbers and getting people to stand for election. Places undue pressure on community councillors</p> <p>The views of public expressed during the consultation have less weight than those of community councils because the public do not have experience of the problem as community councillors do nor can they appreciate that it is not the same situation as Local Elections where there are always more candidates than places to fill.</p>	<p><i>Concerns about maintaining numbers are noted. Council concluded that it is not helpful to the public and not in the interests of clarity to have some elections administered by the Council and by some the ccs.</i></p> <p><i>The Council agrees that views of Clackmannanshire’s community councils on the strengths and weaknesses of the existing Scheme have weight and the views of community councils expressed during the consultation have informed deliberations.</i></p> <p><i>We are equally mindful that the public must be able to participate more actively in community council elections both as nominees, proposers and seconders, and as voters. Bringing the format for community council election process in line with that of Local Elections may better help the public appreciate the community council situation.</i></p> <p><i>The Council will support ccs to channel the considerable volunteer effort to maintain numbers in between election channelled into one exercise every four years to maximise the chances of filling all vacancies through regular elections.</i></p>	<p>Acknowledge in Protocol the need to work closely with ccs at election times to ensure local information about the process is clear and elections are accessible to the electorate.</p>
OTHER	<p>Questions on the Council's motives for the content for the proposed Scheme based on a suspicion that the changes could result in the demise of some community councils.</p>	<p><i>Community councils which accurately and appropriately represent the views of a community will play an important role in local democracy in Clackmannanshire for the foreseeable future. Strength comes from the size of active support as much as the number of members. The power to strengthen or weaken our community councils comes therefore not from the Council but from the electorate of the county</i></p>	