

---

**Report to Clackmannanshire Council**

---

**Date: 24 June 2021**

---

**Subject: Scheme for the Establishment of Community Councils**

---

**Report by: Strategic Director Partnership & Performance**

---

**1.0 Purpose**

- 1.1. This report updates Council on the outcome of the first stage of consultation on the Scheme for the Establishment of Community Councils and requests approval to initiate the second stage of the process to consult on a new draft Scheme for the Establishment of Community Councils.

**2.0 Recommendations**

- 2.1. It is recommended that Council
- i. Note the boundary changes proposed following public and note that there are no proposals to change the composition of any of the nine community councils , and
  - ii. approve for public consultation the new draft Scheme for the Establishment of Community Councils

**3.0 Considerations**

- 3.1. The Scheme for the Establishment provides the framework within which community councils establish and operate. Clackmannanshire Council agreed at its September 2020 meeting to begin a focussed consultation process in accordance with statutory requirements to amend the Scheme to add arrangements for community councils in circumstances such as pandemics which present undue impediment to their function.
- 3.2. During the first 8-week consultation period, the public were invited to make suggestions on the boundaries and composition of community councils by means of an online questionnaire and/or via community councils themselves.
- 3.3. Comments received during the consultation, our analysis and conclusions are contained in Appendix 3.

## **4.0 Revisions to the Scheme Boundaries**

- 4.1. Muckhart Community Council have requested a changes to their shared boundary with Dollar Community Council. Dollar Community Council do not oppose the change . How the proposed change affects the boundaries of each community council is shown in Appendix 2.
- 4.2. There were comments from the public on a different part of the Muckhart-Dollar boundary and on the boundary of Alloa Community Council. There was no compelling argument for the changes and the community councils affected provided no argument to support them.
- 4.3. Comments received on the remaining community council boundaries confirmed that they accurately reflect logical community council areas.

### **Composition**

- 4.4. Comments received during the consultation confirm that people believe community council membership numbers should find the balance between the principle of democratic accountability and how committees function in practice.
- 4.5. Whilst suggestions for change to maximum or minimum membership numbers were sound in principle, they are not considered to be able to guarantee to address the need or meet the desired democratic standard.
- 4.6. Alva Community Council requested a change to their composition following a year in which it was difficult for all community councils to maintain membership. In normal circumstances, community councils are able to manage with existing composition. Provisions for exceptional circumstances which aim to address this are proposed. They are summarised in paragraph 4.9 and shown in the draft revised Scheme in Appendix 1

### **Other Provisions in the Scheme**

- 4.7. The next stage of the statutory process is the opportunity to present for consultation the contents of a draft Scheme showing revisions to further enhance the self-determination of communities and to add provisions which reduce dependency on Council decision-making in favour of more agile and responsive, democratically accountable community council decision-making.
- 4.8. Officers have discussed the aspirations of participative representation and decision-making with community councils collectively through the Joint Community Council Forum, and the broad principles of these discussions are reflected in the revisions in the proposed revised draft in Appendix 1.
- 4.9. The provisions in the existing Scheme have generally been found to be valid and as such the proposed draft Scheme preserves provisions for eligibility, meetings, resourcing and accounts. The key changes to the existing Scheme in the proposed draft Scheme (Appendix 1) are summarised below
  - i. Change to the text to allow certain decisions for which only Council would currently have authority to be delegated to the Council's Returning Officer to allow community councils to continue to function in the event of exceptional circumstances.

- ii. Amendment to the boundary between Dollar and Muckhart Community Councils as shown in the map in Appendix II

## 5.0 Next Steps

- 5.1. Subject to Council approval, the draft document will be put out to public consultation for a statutory period of eight weeks. Council will consider the outcome of the consultation once the outcome of this period of consultation is known to consider recommendations arising from the public response and the approval of a final draft document.
- 5.2. Community council elections are scheduled to take place in August-September this year. None of the proposed revisions to the Scheme will affect the election process.
- 5.3. An indicative timeline is included as Appendix 4

## 6.0 Resource Implications

### 6.1. *Financial Details*

- 6.2. 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 ☒

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

### 6.4. *Staffing*

## 7.0 Exempt Reports

- 7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 8.0 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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☒

(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".

Appendix 1 – Proposed draft Scheme for the Establishment of Community Councils

Appendix 2 - Map showing proposed boundary changes

Appendix 3 – Stage 1 Summary of comments

Appendix 4 – Consultation timeline

**11.0 Background Papers**

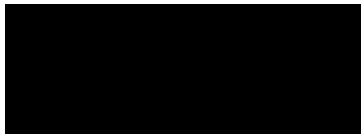
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Baillie	Community Planning Adviser	2012

**Approved by**

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	

# SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS



**Clackmannanshire  
Council**

[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

## 1. Introduction

- 1.1. Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government (Scotland) Act, 1994, which produced the current system of unitary local authorities and made provision for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a community council in their area.
- 1.2. The Scheme is designed to enable the establishment of community councils across Clackmannanshire to provide a common minimum basic framework governing their creation and operation.

## 2. Statutory Purposes

- 2.1. The statutory purposes of community councils established under this Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -
- 2.2. "In addition to any other purpose which a Community Council may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable".

## 3. Role of Community Councils

- 3.1. Community councils have a duty under statute to represent the views of their local community. Clackmannanshire Council recognises community councils as the voice of the community on matters which directly affect public services in their areas and as appropriate bodies to participate at all stages of Local Development Planning.
- 3.2. Community councils have a statutory right to be consulted on planning applications which affect their area.
- 3.3. Community councils are competent objectors for licensing applications.
- 3.4. It is the role of community councils to inform the community they represent of matters of public concern and enable and facilitate active community deliberation on key developments affecting their area.
- 3.5. Clackmannanshire Council also recognises the scope community councils have to promote the well-being of the communities they represent; foster community spirit, and safeguard and improve the amenities of the community council area, its buildings and its natural environment.

## 4. Boundaries and Membership

- 4.1. The boundaries for community council areas and names of the community council areas are as outlined below and shown in this map which annexes this Scheme.
- 4.2. There shall be minimum and maximum membership numbers of community councillors. Only members who were elected at a regular, or interim election count for minimum membership to operate. In addition, there shall be a minimum number of nominations required at a regular election and below which a community council may not establish. These are listed below.

Community Council	Membership maximum	Minimum membership to operate	Minimum nominations at a regular election	Population est
Alloa	16 members	8 members	9 nominations	<a href="#">13169</a>
Alva	14 members	7 members	8 nominations	<a href="#">4565</a>
Clackmannan	14 members	7 members	8 nominations	<a href="#">4833</a>
Dollar	14 members	7 members	8 nominations	<a href="#">3109</a>
Menstrie	14 members	7 members	8 nominations	<a href="#">2874</a>
Muckhart	12 members	6 members	7 nominations	<a href="#">525</a>
Sauchie & Fishcross	14 members	7 members	8 nominations	<a href="#">6631</a>
Tillicoultry	14 members	7 members	8 nominations	<a href="#">6036</a>
Coalsnaughton, & Devonside				
Tullibody, Cambus, & Glenochil	14 members	7 members	8 nominations	<a href="#">9708</a>

## 5. Eligibility

- 5.1. To qualify for nomination and election to a community council, and membership, a candidate must:
- Reside in the community council area for which membership is sought and,
    - be aged 18 or over and included on the current electoral register for the Community Council Area, or
    - be aged 16 or over and included in the roll of 16-18 year olds held by the Returning Officer
  - Not be, or within the last 5 years have been, declared bankrupt, convicted of any offence of which the sentence was anything other than a fine
  - Not be a Clackmannanshire Council elected member, an MP, an MEP or an MSP.
  - Not to have been refused permission or had permission withdrawn if an employee of Clackmannanshire Council.

## 6. Establishment

- 6.1. Clackmannanshire Council will invite electors in an area where no community council exists to apply in writing ([which could include by electronic means](#)) to the Chief Executive for the establishment of a community council in their area.
- 6.2. Clackmannanshire Council will arrange an election where at least 20 electors, who in their own right would be eligible to stand for election to a community council, notify the

Chief Executive in writing [\(which could include by electronic means\)](#) within 21 days that they wish to see a community council established for their area. The method of election will be that of a regular election described in Paragraph 8.

- 6.3. If nominations are received for less than the minimum nomination number, no community council will be formed. Clackmannanshire Council will give a statement of reasons why a community council may not be formed in any area.
- 6.4. In areas where no community council is established, 20 electors may petition, [including by using the Council's digital petition process](#), the Chief Executive at any time to hold an election to establish a community council. This will be subject to there being no more than two elections in a twelve month period in any one community council area.
- 6.5. Clackmannanshire Council will make reasonable arrangements to accommodate establishment of a new community council when a petition is made in the year a regular, National or Local election is scheduled.

## 7. Election

- 7.1. The method by which people become community councillors shall be open and transparent. Clackmannanshire Council will conduct community council elections to allow a community to establish a community council. Clackmannanshire Council is committed to exploring with community councils innovative approaches [including the use of digital processes](#) to encourage greater involvement in community council elections and to enhance the democratic process.
- 7.2. Election to community councils takes place through three methods, described in Paragraph 8. They are:
- Regular elections, every four years to fill all places on all community councils
  - Interim elections, in the event that a community council's membership falls below the minimum membership to operate, or when the community council fails to receive the minimum nominations at a regular election
  - Co-option, to be used to maintain membership numbers as soon as a vacancy arises
- [7.3.](#) Regular and interim elections will be conducted by Clackmannanshire Council. Co-options will be conducted by community councils.

~~7.3.7.4.~~ [In the event of exceptional circumstances which prevent the Council from conducting community council elections within a reasonable timescale, the Council's Returning Officer, in discussion with the Monitoring Officer, will have the authority to make decisions which allow a community council to maintain its membership in order to be able to fulfil its statutory function. Those decisions will be reported to Clackmannanshire Council at the next scheduled meeting.](#)

## 8. Election Methods

### Regular Elections and Interim Elections

- 8.1. The Returning Officer for community council elections carried out by Clackmannanshire Council will be the Chief Executive of Clackmannanshire Council. The Returning Officer

may appoint such number of deutes as may be considered necessary for the proper discharge of the relevant functions.

### Regular Elections

- 8.2. Regular elections are held every four years at a time to be determined by Clackmannanshire Council. Clackmannanshire Council will make reasonable arrangements to accommodate community council elections in a year National or Local Elections are scheduled.

8.3. Clackmannanshire Council shall set the schedule for regular elections. The first regular elections following the adoption of this Scheme are scheduled for September 2021.

~~8.3.8.4.~~ Clackmannanshire Council may use digital methods to conduct community council elections where appropriate.

### Regular Election Process

~~8.4.8.5.~~ Step 1 Nominations

All places on all community councils are available. All serving Community councillors will stand down and will be eligible for re-election. For all serving community councillors, the term of office will end at midnight of the day prior to the scheduled polling day at the next regular election.

Clackmannanshire Council will advertise a Notice of Election by public notices in the area covered by the community council. This notice will invite residents of the area to put forward nominations for membership of the community council.

Nominations will be in the form decided by the Returning Officer and will be subscribed by one proposer and one seconder, both of whom must be eligible for election in their own right. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

Nominations for election to a community council must be received by the Returning Officer by the time specified.

~~8.5.8.6.~~ Step 2 Election Process

Where nominations are received for between the nomination minimum and 100% of the places to be filled by election, those individuals will be declared elected unopposed and the Returning Officer will produce and display a notice to that effect in the local area.

Where at any election the number of nominations received exceeds the number of places to be filled, a ballot will be held.

~~8.6.8.7.~~ Step 3 Ballot

When a ballot is held, community councils shall be elected on the Block Voting system. The ballot will be secret and will follow the process set by the Returning Officer.

~~8.7.8.8.~~ Optional Step: Nomination deadline extension

Should the total number of candidates nominated be below the minimum nomination number as specified for the community council area, no community council will be

established in that area at that time. However, Clackmannanshire Council may, at its discretion, extend the deadline and within 6 months of the closing date for the registration of the first call for nominations issue a second call for nominations for a community council area failing to meet the minimum nomination requirement.

### Interim Elections

~~8.8.8.9.~~ In the event that a community council's membership falls below or is at risk of falling below the minimum membership to operate, it shall notify Clackmannanshire Council. Clackmannanshire Council will make reasonable arrangements for an interim election to be held to fill places left vacant at a regular or interim election and vacancies arising since a regular or interim election. Places filled at a regular, or previous interim election are not subject to interim elections, however, places filled by co-option are. An interim election within 6 months of a regular election will be at the discretion of Clackmannanshire Council.

### Interim Elections Process

~~8.9.8.10.~~ The process for an interim election is that of the nominations and ballot process in a regular election but nominations shall be invited only for the number of vacancies. There will be no second call for nominations. A community councillor elected at an interim election will hold office until the next regular elections.

### Co-option

~~8.10.8.11.~~ Should a place filled through an election become vacant, community councils shall take steps through a process of co-option to fill the vacancy to maintain membership numbers until the next election. Subject to paragraph 7.4, a community council must not co-opt further members if, as a result, the number of co-opted members would exceed one third of the number of community councillors elected at a regular or interim election. Places not filled at a regular or interim election cannot be filled by co-option.

~~8.11.8.12.~~ Co-opted members must meet the eligibility criteria set out in this Scheme. A co-opted member must be elected onto the community council by a two-thirds majority of the elected (regular and interim) community councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (whether regular or interim). Co-opted members do not count for minimum operating numbers.

### Co-option Process

~~8.12.8.13.~~ Community councils shall determine the process of co-option. Notice of any proposed co-option procedure is required to be intimated to all of that community council's members and publicly in the community council area at least 14 days prior to the meeting at which the matter will be decided.

## 9. Meetings

- 9.1. The Returning Officer will call the first meeting of the community council after its establishment and after regular elections. This meeting will take place within 4 weeks of the election or as soon thereafter as is practicable. The election of a chairperson for that meeting from amongst community councillors present must be the first item of business at this meeting. Until a chairperson for that meeting is elected, the Returning Officer or a suitable deputy appointed in his/her place will chair the meeting.
- 9.2. Community councils shall determine the format of their meetings subject to meetings being open to the public, with the place (if relevant), date, time, nature of the business to be conducted at the meeting and draft note of any decisions made at the previous meeting advertised in the community council area or by electronic means at least 7 days before the meeting. Community councils may use digital meeting methods where appropriate to their community.
- 9.3. Each community council will determine the frequency with which it meets subject to a minimum of 4 meetings held in public per year.
- 9.4. Each community council shall hold a meeting by the end of September of each regular election year and by the end of October in non-election years at which it will account for its activities in the previous year, present its annual accounts for approval and elect its office bearers.
- 9.5. Each community council will adopt and make available publicly Standing Orders which lay out the procedure and business for its meetings.

## 10. Constitution

- 10.1. Each community council is required within 2 months of establishment or as soon thereafter as is practicable to adopt a Constitution which adheres to the terms of this Scheme. The constitution must meet minimum standards of legitimacy, democracy, accountability and transparency relevant to the statutory function of community council and is required to be approved by Clackmannanshire Council prior to adoption by the community council.

## 11. Resourcing

- 11.1. Clackmannanshire Council will provide assistance to community councils to support their administrative needs. The details of this assistance and resourcing which the Council will from time to time determine will be set out in the Protocol which accompanies this Scheme.
- 11.2. Any financial assistance will be made available to community councils following receipt of bank account details and, in the case of established community councils, approval by the chief finance officer of independently examined annual accounts which the community council can demonstrate have been approved by the community council at a properly-convened meeting which is open to the public.

## 12. Dissolution and Suspension

### Dissolution

- 12.1. Clackmannanshire Council will, upon request of the community in question and following due process as set out in the community council's own constitution, assist a community with the process of the dissolution of a community council.

### Suspension

- 12.2. Clackmannanshire Council may move to consider a community council to be suspended where:
- It has demonstrated a major single breach or a series of breaches to the requirements set out in this Scheme or its adopted constitution and where said breach(es) have not been remedied after being brought to the community council's attention.
  - A majority of its members collectively or separately have been charged with an offence under the law
- 12.3. Should Clackmannanshire Council consider a community council to be suspended, it shall publish a public notice in the area giving reasons. Within 2 months of suspension of a community council (or as soon as is practicable) Clackmannanshire Council shall set in motion a process to establish if the community wish to dissolve the community council or take action to re-instate its status. The process will be set out in the public notice.
- 12.4. A community council which is considered by Clackmannanshire Council to be suspended will not receive further Council resources.

## 13. Exchange of Information

### Procedures

- 13.1. Procedures for the exchange of information on matters of mutual interest will be negotiated, and updated to suit changes in working arrangements, between community councils and Clackmannanshire Council. They are set out in the community council Protocol which accompanies this Scheme.

### Single Point of Contact

- 13.2. Each community council shall elect from among its members a Single Point of Contact for communication with Clackmannanshire Council and other public authorities, and provide the name and contact details of the Single Point of Contact to Clackmannanshire Council for wider publication to the public. The community council shall notify the Community Council Liaison Officer of any changes to the Single Point of Contact.

- 13.2.13.3. Each community council is required to have an electronic means of communication available for contact from the Council and for contact from the residents of its area.

## Community Council Liaison Officer

~~13.3.~~13.4. Clackmannanshire Council will appoint a Liaison Officer who will have prime responsibility for ensuring that information exchange mechanisms between community councils and the Council are operational.

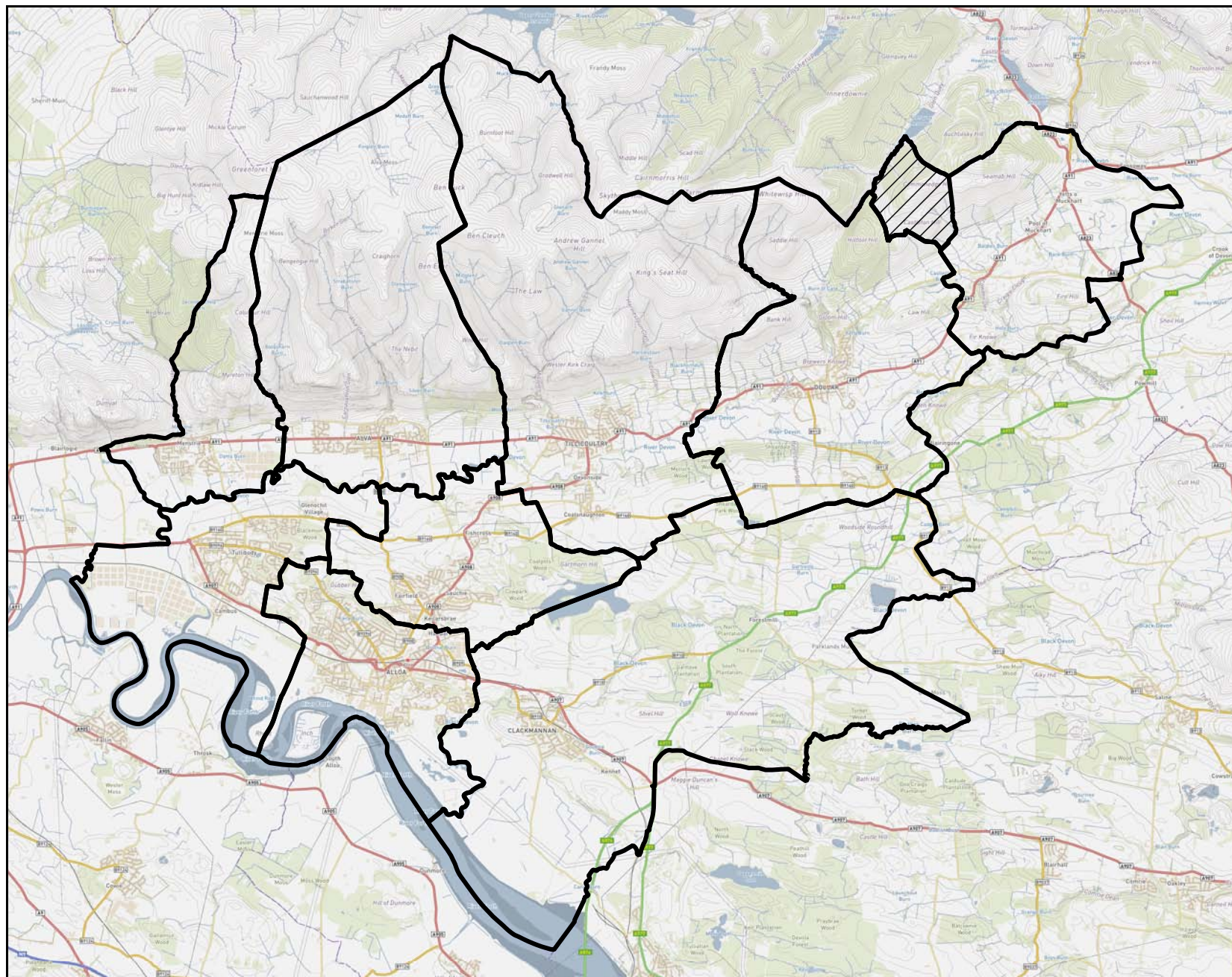
## Guidance

~~13.4.~~13.5. Clackmannanshire Council will provide guidance where relevant to assist community councils to adhere to the terms of this Scheme.



Adopted: [ Month ] 2022

Review date : 2026

# Community Councils



## Legend

-  Community Council
-  Area of change

Scale: 1:100,000

Paper size: A4

Date: 11 May 2021



**Clackmannanshire Council**  
www.clacks.gov.uk

Comhairle Siorrachd  
Chlach Mhanann

Development & Environment  
Kilncraigs  
Greenside Street  
Alloa FK10 1EB

Tel: 01259 450 000  
planning@clacks.gov.uk

## Scheme for the Establishment of Community Councils – consultation 2020 – stage 1

## Part 1 – Comments from the public

Ref.	Boundary comments	Composition comments: maximum:	Composition comments: minimum	Council comments
Alloa CC	No changes proposed	No changes proposed	No changes proposed	<i>The current area was proposed by the former Alloa Centre Community Council and agreed following public consultation. Since then, the current Alloa CC has kept its boundaries, their effect on participation and the geographic areas from which members are drawn under review. They confirm they are not recommending a change at this time.</i>
Alloa 1		10	6	<i>Current minimum numbers are calculated to ensure that the quorum as much as the minimum operating number will be a number which residents consider appropriate to the area.</i>
Alloa 2	Alloa seems to large, Split Alloa South & east? Alloa Community Council is not effective and does not reflect the needs of the community. Meetings are not effective or well attended. Community groups do a better job of consultation.	This should depend on the size of the area, no less than 5 and should also be an odd number	Min 5 max depending on size of area	
Alloa 3	No, I think area 9 would benefit by dividing the area into two. Either side	Representatives should be proportionate to the number of	with the exception of Alloa, I think the current figures are the	<i>Public responses are clear that too low a number making decisions at meetings is not</i>

	of the main road through Alloa, the current boundary for area 9 is to large and is not one coherent community. As mentioned, Alloa is not one coherent community. There are a number of communities with differing needs and expectations that are lost in the current arrangement.	residents. For example Alloa is the most populated area and yet has only 2 more members than the rest (Muckhart being the exception)	minimum. It may be worth discussion to have minimum and maximum numbers?	<i>acceptable and except for exceptional circumstances there is not generally a case for lowering minimum membership numbers.</i>
Alva CC	No changes proposed	No changes proposed	Change proposed to reduce minimum number to 6	<i>Alva CC has not normally struggled to maintain membership number but circumstances this year have been exceptional. As we can put in place provision to cover exceptional circumstances we do not feel there is a need to lower minimum membership numbers at this time.</i>
Alva 1	Looks good as it is No change	I think Alva's current limit of 14 councillors is about right.	8 is the minimum I think it needs to have to be able to function properly. Less than that means that they would not properly reflect the views of all the community.	<i>We note the comments on how numbers affect meeting efficiency, whether too many or too few.</i>
Alva 2		12. 14 is too many for the size of Alva. It would stop cronies from being brought on board too	10. Sometimes a smaller group can think better than a larger on	<i>We feel that the existing provisions for minimum and maximum membership numbers found the balance between the benefits of high numbers of decision makers and the efficiency of low.</i>
Alva 3		7	5	
Clackmannan	No changes proposed	No changes proposed	No changes proposed	

CC				
Clackmannan 1		<p>I think the number of members should ideally reflect the population in said areas. E.g. Tullbody CC has a population of around 10,000 people but Clackmannan CC has a population of around 3,500 but both need to have 14 members</p> <p>It would also maybe make sense to make the number of members an uneven number so should there ever need for CC's a vote on a matter that there is not a deadlock</p>	<p>I think the members required should reflect the population of the area. e.g. 0 - 5,000 = 11 Members 6,000 - 10,000 = 13 members and 10,000 upwards = 15 members</p>	<p><i>As community council areas can vary in population, we feel that numbers based purely on such a formula might not be practical.</i></p> <p><i>The choice of membership maximum and minimum numbers must be workable even when there are unforeseeable absences and vacancies.</i></p>
Clackmannan 2	<p>I feel our area is logical I do not think a change desirable</p>	Good number	<p>12 - studies have shown this is an optimal committee size for decision making. Assuming all members may not be able to attend then 14 is about correct</p>	
Dollar CC	<p>No opposition to the change to Commonedge Hill as proposed by Muckhart CC which affects their shared boundary.</p>	No changes proposed	No changes proposed	<p><i>We respect the agreement made by both community councils on behalf of their respective communities</i></p>
Menstrie CC	No changes proposed	No changes proposed	No changes proposed	

Menstrie 1		10 To gain a fair mix of individuals and groups represented young and old	5 So one family can't easily run an area's council.  Also to stop hung voting during resolutions	
Menstrie 2		The current number of members in Menstrie Community Council (14) is fine.	I think our community council should have no less than 10 members. I chose 10 as that number should be representative of the residents in Menstrie	<i>There is a wide range of views on maximum and minimum numbers for Menstrie, which has historically operated successfully with current minimum membership numbers.</i>
Menstrie 3		15 seems reasonable under the current local government arrangements - but I don't believe these arrangements to be the best. Also, this entirely depends on how engaged/active/skilled members are and whether they are adequately diverse	12 - with the same reservations [as per max]	<i>As above, there is not generally a case for lowering minimum membership numbers.</i>
Menstrie 4			10 to allow for sufficient governance	
Muckhart CC	Changes proposed (see below)	No changes proposed	No changes proposed	<i>As Dollar above. We have no objections to the proposed, mutually agreed boundary change.</i>
Muckhart 1		Around 10 to 12. This sort of number allows for members to	8. Any less than this an	<i>(As above - previous comments)</i>

		be away on work or holiday and still have adequate numbers attending meetings. Also it helps spread the workload across the members who are volunteers.	meetings may have few members turn up, and the workload per member would increase.	<i>relating to practical application of max/min numbers.)</i>
Muckhart 2	It is odd that the Japanese Garden seems to be split between Dollar and Muckhart CCs. It should be solely in Muckhart CC as should the Castleton and Lawhill areas. They look to Muckhart for social events and people living in that area tend to say that they live in Muckhart rather than Dollar. I also think that it is very important that Muckhart continues to have its own Community Council. As Muckhart lies at the far end of Clackmannanshire, it is often forgotten and our rural needs are quite different to those of Dollar.	Happy with present number	Minimum of 10 people	<p><i>We have taken advice from Muckhart CC and there do not appear to be grounds at this time for this change to the boundary.</i></p> <p><i>We note the resident support for a community council for the Muckhart area specifically. There are no proposals to merge Muckhart CC area with any other.</i></p>
Muckhart 3	Muckhart Community Council would like to request a minor adjustment to the local CC boundary, to transfer an area of historic, common land - called Commonedge - from the Dollar CC area back into the Muckhart CC area (I will forward the relevant maps directly to Lesley Baillie). Muckhart CC has been in contact with Dollar CC which has agreed to this request. Historically, this area of land, which is located on the ridge of the Ochil Hills,	12 members. Muckhart CC supports the current number of elected members allocated to our area which we feel allows both Muckhart and its surrounding area to be fairly represented, in addition to allowing us to spread CC tasks and responsibilities equally and fairly amongst members. MCC currently has members elected	6 members. In support of the current SoE, Muckhart CC believes that this would be the minimum number of members that would allow the CC to continue to function whilst continuing to fairly represent our community	<p><i>Views on minimum numbers range from 6 to 10.</i></p> <p><i>We are not aware of any difficulties this area has in maintaining membership numbers or in its numbers raising questions of representation.</i></p>

	above Muckhart, is where the tenants of the Muckhart Parish traditionally grazed their animals in the summer and where villagers cut their peat.	from the Upper Yetts, Mossspark, Blairhill and New Broadmeadows (Golf Course Road) areas, in addition to members who are resident in the Pool, thereby, fairly representing residents across all areas of Muckhart.		
S & F CC	No changes proposed	No changes proposed	No changes proposed	
Sauchie & Fishcross 1		Happy with current number of 14	10 or 5 for Quorum - prefer to have as many people as possible on final decisions.	<i>We note that views are in line with current max/ min numbers.</i>
TC & D CC	No changes proposed	No changes proposed	No changes proposed	
Tillicoultry Coalsnaughton & Devonside 1		8	8	<i>The views of the public recognise the need for representation and practicalities. We have no reason to believe this cc has experienced difficulties with either and note the general support for the existing arrangements.</i>
Tillicoultry Coalsnaughton & Devonside 2		Tillicoultry have the same number as Dollar and as Menstrie who have a lot smaller populations	More than smaller communities to represent population	
Tillicoultry Coalsnaughton & Devonside 3		9 is probably enough people. I would say it has to be an odd number to enable a quorum when voting of issues otherwise I would imagine the Chair has the casting vote.	7 should be enough as a minimum so long as they represent a cross section of members of the community	
Tillicoultry Coalsnaughton & Devonside	Tillicoultry Coalsnaughton and Devonside is shown as No.7 but not in the KEY	Despite it being more difficult to keep Councillors active 12 to 14 members is okay. This since	A minimum of 14 i.e. as is!	

4	NO CHANGE REQUIRED!	they are needed to make sure the whole community is represented properly and fully.		
Tillicoultry Coalsnaughton & Devonside 5	tillicoultry	16	as it covering 3 villages	
Tillicoultry Coalsnaughton & Devonside 6		I think the numbers currently are suitable	Minimum of 5. The split in the county means the areas covered aren't huge. I think its still feasible to have a minimum of 5	
TC&G CC	No changes proposed	No changes proposed	No changes proposed	<i>This area had very strong membership in the past but as members recently moved out of the area the cc has struggled to maintain numbers. It represents a relatively large population and we are not proposing lowering membership numbers.</i>

## Part 2 – Dialogue with community councils

Joint Community Council Forum – dialogue on the key contents of the Scheme March 2021

Key points from March	Council comment	Proposal
<b>General</b> <ul style="list-style-type: none"> <li>Review of Scheme</li> </ul>	<p>Every review of the Scheme is an opportunity to think differently about all aspects of governance.</p> <p>The main reason for the review of the Scheme was to incorporate provision for flexibility in the event of an emergency (such as a pandemic), to avoid having to go to Council to put measures in place to allow ccs to continue to operate, and to remove where possible any provisions which require recourse to Council where there could be cc control.</p>	<p>Draft revised Scheme includes new provisions.</p>
<b>Commitment to the cllr role</b> <ul style="list-style-type: none"> <li>Getting people to convert 'interest' 'effort' and 'willingness' into commitment to the cc seems to be the problem we hope the Scheme will solve.</li> <li>Effect of trend towards community ownership of buildings</li> </ul>	<p>We have yet to find a perfect way within the governance framework to attract people to their cc. The scope to recruit volunteers and make co-options is the best we can do without radical change.</p> <p>The distinctive cc function and governance are the best we can come up with to prove that whatever else a ccs does, it exists to fulfil a very clear function which other community groups generally do not.</p> <p>We accept that as policy trends come and go, people will decide if they want a cc and it is up to people to make their choice to which group/s to dedicate their effort.</p>	<p>We have no proposals at this stage. Stage 2 invites comment and suggestions from the public.</p>
<b>Co-options</b> <ul style="list-style-type: none"> <li>Co-opted members should count for minimum numbers</li> <li>Co-option ratio should be more generous</li> </ul>	<p>The co-option provisions are as loose as the Council can make them without recruitment becoming a prerogative of existing cllrs.</p> <p>The public do not seem concerned about co-options and the public do sympathise with ccs about limitations on recruitment.</p> <p>Co-options provisions have not normally been found to be a barrier until circumstances are exceptional.</p>	<p>A greater degree of flexibility in exceptional circumstances / inability of Council to arrange regular or interim elections might address these suggestions</p> <p>The motive for these suggestions is linked with minimum numbers. See below.</p>

<ul style="list-style-type: none"> <li>Co-options as a recruitment tool</li> </ul>	<p>Co-options are a flexible but legitimate way of replacing members who leave within a term of office. The provision for co-options is vital for maintaining membership numbers and breadth of representation.</p>	<p>Retain co-options in principle.</p> <p>We do not feel that loosening co-option provisions is a solution for community councils.</p>
<p><b>Minimum numbers</b></p> <ul style="list-style-type: none"> <li>Lower minimum numbers would make recruitment at elections easier</li> </ul>	<p>The public seem to sympathise with ccs when they lose members and cannot replace them quickly. However, there were several comments indicating the public do not like the idea that too few people represent the community, so lowering minimum numbers might not be a popular move.</p>	<p>Lowering minimum operating membership numbers has a knock-on effect on the quorum and co-option ratios. We do not recommend lowering the quorum.</p>
<ul style="list-style-type: none"> <li>Should be lowerable. Do they have to be set in the scheme? Could they be based on the membership at any given time?</li> </ul>	<p>Provisions which allow minimum numbers to adapt to changes in levels of interest of people who want to be community councillors will help community councils to manage their membership numbers but in practice could either compromise democratic standards or not be a quick process.</p>	<p>Except perhaps for exceptional circumstances, we think communities and community councils alike would prefer for clarity and transparency to have set membership numbers.</p> <p>The flexibility in case of emergency will go some way to addressing the problem this suggestion addresses.</p>
<p><b>Elections</b></p> <ul style="list-style-type: none"> <li>Formal elections should be retained</li> <li>Current election method should be retained</li> <li>4 yearly cycle versus yearly elections</li> </ul>	<p>Formal elections instil credibility and confirm to residents that community councils can't choose their own members. They imply commitment and continuity, and the four-yearly cycle allows ccs to focus on business rather than filling membership every year.</p> <p>The Council is not in a position to run yearly elections at the moment or in the foreseeable future.</p>	<p>Retain current election frequency and method.</p>
<ul style="list-style-type: none"> <li>'Election by Half'</li> </ul>	<p>Election by half every two years helps retain experience and continuity. It asks residents to fill a smaller number of spaces but it gives the impression of a shorter term of office and people choose to leave after 2 years instead of 4.</p>	<p>Retain 4 yearly regular elections and interim elections as required.</p>

	<p>The Council could not currently consider running cc elections every two years. The current economic climate and elections landscape appear prohibitive.</p> <p>The Council is open to suggestions on other election formats but if they are to be run by the Council's elections team the Council will only run elections in the format set out in the existing Scheme and will continue not to make exceptions to standards and deadlines.</p> <p>Cc may still choose at the next stage of consultation to ask for regular elections with 'elections by half' if they wish to arrange elections themselves or through a third party.</p>	
--	--	--

Appendix IV  
Indicative Review Timetable

- 1.1. The steps involved in this process and proposed timescales are laid out in the Table below.

<b><i>Date</i></b>	<b><i>Step</i></b>
<i>September 2020:</i>	Council agrees to revoke existing Scheme.
<i>October 2020:</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.
<i>June 2021:</i>	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.
<i>August 2021:</i>	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.
<i>December 2021:</i>	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.
<i>January 2022:</i>	If required, the public will have a 4-week period in which to make any final representations on the proposed document.
<i>April 2022:</i>	Council will consider any final representations and will formally adopt a new Scheme.
<i>April 2022:</i>	Public notice of the adopted Scheme and invitation for electors to apply for establishment in areas where no community council exists.

- 1.2. The eventual Scheme is timetabled for implementation in 2022.