

EAST AYRSHIRE COUNCIL

SPECIAL COUNCIL - 24 JUNE 2010

FURTHER DEVELOPING COMMUNITY ENGAGEMENT WITHIN EAST AYRSHIRE: COMMUNITY COUNCILS

Report by the Executive Director of Finance and Corporate Support

1. PURPOSE OF REPORT

- 1.1** To request consideration for a review of the East Ayrshire Council Community Council Scheme and to present proposals to support the further development of community engagement within East Ayrshire with a specific focus on supporting the role of Community Councils.

2. BACKGROUND

- 2.1** Local Authorities are responsible for setting up Community Council Schemes which provide the framework for establishing Community Councils within each Local Authority area. East Ayrshire Council recognises that Community Councils have an important role to play in community engagement and form the most local community-based tier of elected representation provided for in statute.
- 2.2** The general purpose of Community Councils is to act as a voice for their local area. This can involve Community Councils articulating the views and concerns of local people in their area on a wide range of issues of public concern.
- 2.3** The Scottish Executive commenced a review of Community Councils in 2005/06. Following the Elections in 2007, this work was continued by the Community Council Working Group whose membership included the Scottish Government, CoSLA, and the Association of Scottish Community Councils. The review concluded in 2009 with a production of model: Scheme of Establishment of Community Councils; Constitution; Standing Orders; and Code of Conduct for Community Councillors. These documents have been jointly endorsed by the Scottish Government, CoSLA and the Association of Community Councils.
- 2.4** Councils throughout Scotland have been encouraged to adopt the models and it is considered that the adoption of the Model Scheme and associated documents throughout Scotland will establish consistency of operational arrangements in Local Authority Schemes for Community Councils, while allowing local circumstances to be reflected. Adoption of the principles of the Code of Conduct for Community Councillors will facilitate the development of a culture of accountability for all parties, for the actions and decisions of individual Community Councillors and will encourage collective responsibility of Community Councils. This will assist Community Councillors to further develop effective engagement in an open, transparent and positive manner

within their community alongside other community organisations, in line with the Government's ongoing community empowerment agenda.

3. EAST AYRSHIRE COUNCIL COMMUNITY COUNCIL SCHEME

3.1 The East Ayrshire Community Council Scheme was established on 27 March 1997 and has been the subject of two reviews, the last one being in October 2001. Thereafter, there was no great need for any further reviews and subsequently before considering any further review the outcome of the National Review of Community Councils was awaited.

3.2 It is now proposed to carry out a review of the East Ayrshire Council Community Council Scheme which will be required if the Council wishes to adopt the Model Scheme and associated documentation. The review process which is governed by legislation provides for extensive public consultation and will provide an opportunity for Elected Members, Community Councils and the general public, to comment both on the model documentation and to raise any other issues that should be included within the review - for example, boundary issues, composition and membership of Community Councils.

3.3 Copies of the existing East Ayrshire Council's Scheme and the Model Scheme of Establishment of Community Councils; Code of Conduct for Community Councillors; Model Constitution; and Standing Orders have been placed on the Councillors' Information Portal and further copies and existing Community Council boundary maps placed within the Members' Information Point for reference. The Model Scheme for the Establishment of Community Councils reflects much of what exists within the East Ayrshire Council Scheme, and the Model Scheme has been designed to provide a common minimum basic framework governing the creation and operation of Community Councils. Some differences within the Model Scheme include:-

- Local Authorities to administer all Elections;
- 16 and 17 year olds within a community and on the electoral role may stand for Election; and
- Ex-officio membership extended to include MPs, MSPs and MEPs.

3.4 As part of the review process, the opportunity will also be taken to meet with Community Councils to:-

- explain the various stages of the review process and its purpose;
- identify the types of issues that could be raised as part of the review; and
- discuss other support needs and opportunities for capacity building to support Community Councils.

3.5 The proposed timetable (Appendix 1) for the review of the Scheme details the process to be undertaken between August 2010 and February 2011.

4. PROMOTION OF COMMUNITY COUNCILS

- 4.1** As part of the review process it is also intended to develop a publicity campaign to raise the profile of Community Councils and to encourage participation therein. The Council has secured one-off funding totalling £17,500 from the Scottish Government in this respect.
- 4.2** The Scottish Government in terms of their Community Empowerment Action Plan are funding a number of Community Council pilot projects throughout Scotland. The desired aim of the East Ayrshire Community Council pilot project is to generate interest amongst members of the public in becoming a Community Councillor and in turn to increase contested Elections.

5. LEGAL AUTHORITY

- 5.1** Section 53 of the Local Government (Scotland) Act 1973, as amended, provides the relevant authority for reviewing Schemes for Community Councils. A decision of the local authority to review an existing scheme shall be by resolution by not less than two-thirds of the members voting thereon at a local authority meeting, specially convened for the purpose with notice of the object.

6. FINANCIAL IMPLICATIONS

- 6.1** The cost of the review, promoting the role of Community Councils and providing opportunities for developing Community Council capacity, can all be met from the Department's budget, supplemented from grant funding from the Scottish Government, as outlined in Paragraph 4.1.

7. COMMUNITY PLANNING/POLICY IMPLICATIONS

- 7.1** Community Councils are key participants within the wider community empowerment agenda. Effective community engagement is the key to the community planning process within East Ayrshire. Supporting and developing the role of Community Councils within East Ayrshire and providing them with the opportunity to build their capacity and to engage more effectively with both East Ayrshire Council and the community they represent, will further strengthen the community planning process.

8. CONCLUSION

- 8.1** The Scottish Government carried out an extensive consultation on the Model Scheme of Establishment of Community Councils, Code of Conduct and other associated documents, and there is substantial support from both Local Authorities and Community Councils for the Establishment of a common framework for the creation and support of Community Councils across Scotland, as well as the introduction of a Standard National Code of Conduct for Community Councillors.

8.2 The review of East Ayrshire Council's Community Council Scheme together with the publicity campaign and proposals to build Community Council capacity will provide the opportunity to enhance Community Council activity within East Ayrshire.

9. RECOMMENDATIONS

9.1 It is recommended that Council:-

- (i) resolve in accordance with Section 53(3) of the Local Government (Scotland) Act 1973 as amended, that East Ayrshire Council's existing Scheme for the Establishment of Community Councils be reviewed;
- (ii) authorise the Executive Director of Finance and Corporate Support to undertake a review of East Ayrshire Council's Community Council Scheme in consultation with Community Councils, Local Members and the public; and
- (iii) remit to the Executive Director of Finance and Corporate Support to undertake the necessary statutory public notification in terms of Section 53(1) of the Local Government (Scotland) Act 1973, as amended.

Alex McPhee
Executive Director of Finance and Corporate Support

31 May 2010
BW/SR

LIST OF BACKGROUND PAPERS

1. East Ayrshire Council Scheme for the Establishment of Community Councils.
2. Letter of Joint Endorsement from CoSLA, the Scottish Government and Association of Scottish Community Councils dated 23 March 2009.

Any person wishing to inspect the background papers relative to this report should contact Bill Walkinshaw, Head of Democratic Services, on Telephone Number (01563) 576135. Any person wishing further information on this report should contact Bill Walkinshaw, Head of Democratic Services on Telephone Number (01563) 576135.

Implementation Officer: Bill Walkinshaw, Head of Democratic Services.

APPENDIX 1

PROPOSED TIMETABLE FOR REVIEW OF THE SCHEME

<u>Date</u>	<u>Event</u>	<u>Description</u>
June 2010	24 June 2010 Council (Special)	Seeking authority to undertake a review of East Ayrshire Council Community Council Scheme, in consultation with Community Councils, Local Members and the public.
Week beginning 2 August 2010	Publish Public Notice	Give public notice of the Council's intention to review the existing Scheme and make a new Scheme for the Establishment of Community Councils and seeking representations. Period of 8 weeks from 6 August to Friday 1 October 2010.
November 2010	4 November 2010 Council (Special)	Council to consider suggestions from the consultation period and either amend scheme as notified or where further amendments proposed agree further consultation.
Week beginning 8 November 2010	Publish Public Notice	If required give public notice of the Council's further amended Scheme. Period of 8 weeks from 12 November 2010 - 7 January 2011.
February 2011	10 February 2011 Council (Special)	Council to consider any further representations to the amended Scheme. Alter if required and formally approve the Scheme.