

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE – 8 FEBRUARY 2006

WHAT CAN WE DO TO HELP COMMUNITY COUNCILS FULFIL THEIR ROLE? – A DISCUSSION PAPER BY THE SCOTTISH EXECUTIVE

Report by Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to inform the Committee of the discussion paper issued by the Scottish Executive's as their first stage in the review of Community Councils and to propose the Council's response to the discussion paper.

2. BACKGROUND

- 2.1** Community Councils were created by the Local Government (Scotland) Act 1973 and were intended to bridge the gap between Local Authorities and Local Communities and help to make Local Authorities and other public bodies aware of the opinions, needs and preferences of the communities that they represent. The 1973 Act required local authorities to introduce Community Council Schemes for their area and gave them a fairly large degree of freedom to tailor schemes to the particular circumstances of their area. There are currently around 1,200 Community Councils in Scotland, though because Community Councils only exist where volunteers are prepared to represent their community in this way, some areas are not currently covered by a Community Council.
- 2.2** At the moment there are currently 20 Community Councils operating in East Ayrshire with 5 to be re-established at a future date.
- 2.3** Ministers are committed to ensuring that local communities are consulted on and are able to influence decisions and policies of local authorities and other public bodies such as police forces and NHS Boards which affect their area.

3. THE REVIEW PROCESS

- 3.1** The discussion paper entitled "What can we do to help Community Councils fulfil their role?" is not a consultation paper but rather it is the first stage in the process of reviewing the current Community Councils system by seeking views and feedback on a number of matters relating to the activities of Community Councils, their effectiveness and their role as the most local tier of democratically elected representation in Scotland. The discussion paper is only one part of that process and Scottish Ministers and officials will be engaging with local authorities, representatives of Community Councils, other public bodies etc over the coming months in order to develop thinking on this. The aim is to harness good practice and identify obstacles and areas of weakness which prevent Community Councils from being fully effective.

3.2 The focus of the review is very much on what steps can be take to support Community Councils in their role as representative bodies for their area and what can be done to improve their operational effectiveness. The discussion paper will inform Ministers thinking in this regard. However, at this time Ministers do not envisage that the role and remit of Community Councils will change fundamentally and are clear that they will not be given significant new statutory powers of responsibilities such as the revenue raising powers available to Parish Councils in England and Wales.

3.3 The discussion paper does not propose specific changes to the system and operation of Community Councils in Scotland, rather it seeks views and comments on a range of issues which the Executive considers to be key to the effective operation of Community Councils. The discussion paper covers 7 chapters as follows;-

Chapter 1 – The legislative Framework

Chapter 2 – Community Councils that represent their community: The electoral process and diversity

Chapter 3 – Getting the message across: - How Community Councils interact with their community, local authority and other stakeholders

Chapter 4 – Funding, support and training

Chapter 5 – Code of conduct

Chapter 6 – National issues for a national association?

Chapter 7 – Summary of questions

3.4 Some of the questions are aimed principally at Community Councils while others are more relevant to local authorities. The Scottish Executive has circulated copies of the discussion paper to all Community Councils in order that they may comment individually.

4. PROPOSED RESPONSE FROM EAST AYRSHIRE COUNCIL

4.1 Comments on the discussion paper require to be submitted no later than 28 February 2006, and the proposed response from the Council is attached as Appendix 1 to this report. In preparing this response, comments were sought from all Elected Members and each of the Council's departments.

5. FINANCIAL/POLICY IMPLICATION - NIL

6. LEGAL IMPLICATIONS

6.1 Community Councils were created by the Local Government (Scotland) Act 1973 and form the most local tier of statutory representation in Scotland.

7. COMMUNITY PLANNING ISSUES

7.1 Community Planning promotes the involvement of communities in the decision making process in local services such as health, education and transport. Citizen engagement can make a real difference to the quality responsiveness

of services in their area and Community Councils can play a pivotal role in this regard.

8. RECOMMENDATIONS

8.1. It is recommended that the Committee:

- (i) agree to the response as set in Appendix 1 to the report as a Councils' response on the Scottish Executive's discussion paper
- (ii) if approved, remit to the Depute Chief Executive/Executive Director of Corporate Support to submit the response to the Scottish Executive; and
- (iii) otherwise to note the contents of the report

Elizabeth Morton
Depute Chief Executive/
Executive Director of Corporate Support

JMcG/DL

16 January 2006

LIST OF BACKGROUND PAPERS

Discussion paper by the Scottish Executive – October 2005 – What can we do to help Community Councils fulfil their role?

Any person wishing to inspect the background papers relative to this report should contact Julie McGarry, Assistant Administration Manager on telephone number (01563) 576147

Any person wishing further information on this report should contact Bill Walkinshaw, Administration Manager on telephone number (01563) 576135.

Implementation Officer: Julie McGarry, Assistant Administration Manager

APPENDIX 1

CHAPTER 1 – THE LEGISLATIVE FRAMEWORK

Q 1.1 Is the current definition of the purpose of Community Councils appropriate? If not, how should it be changed and why?

It is considered that the current definition of the purpose of Community Councils as provided for within the Local Government (Scotland) Act 1973, allows sufficient scope to enable Community Councils to have such a role, and to undertake such activities, within the local community as would be considered reasonable. Accordingly, it is considered that the current definition of the purpose of Community Councils is adequate and appropriate.

Q 1.2 Is there a need to amend the legislative provision relating to the adoption and amendment of Community Council schemes? If so, what changes are required and why?

It is considered that the current legislative provision relating to the adoption and amendment of Community Council Schemes is satisfactory. East Ayrshire Council has put in place, and implemented, appropriate mechanisms within the terms of the legislation, which provided for the adoption of the East Ayrshire Council Community Council Scheme, and for its periodic review/amendment, and no significant adverse issues have arisen with regard to these mechanisms.

Q 1.3 Is there a need to ensure greater consistency between local authorities' Community Council schemes. If so, why and what elements do you think should be common to all Community Council schemes?

There is a need to ensure greater consistency between local authorities' Community Council Schemes which will in turn reflect and have regard to shared experiences and determination of Best Practice throughout Scotland. It is suggested that the fundamental aspects of Community Council Schemes, e.g. constitutional requirements and funding arrangements, should be common to all Community Council Schemes. However, sufficient scope and flexibility should be retained to enable individual local authorities to take on board particular local requirements.

Q 1.4 If you have answered 'yes' to the above question, could this be achieved by issuing guidance or drawing up a 'model Community Council scheme' or, would this best be dealt with by amending the legislation.

It is suggested that greater consistency could satisfactorily and most appropriately be achieved by the issuing of guidance by the Scottish Executive or setting out of a model Community Council Scheme, which would still allow sufficient flexibility for individual local authorities to provide for particular local requirements.

Q 1.5 Do you foresee the introduction of multi-member wards for local government in 2007 having an impact on the working relationship between Community Councils and local authority councillors? If so, what measures might be appropriate to ensure a constructive and effective relationship in the new multi-member wards?

The introduction of Multi-Member Wards will mean that all Elected Members within the new wards will be ex officio members of each Community Council located wholly or partly within that ward. Therefore, whereas in the past each Community Council may have had one or sometimes two Councillors as ex officio Members. under the Multi-Member Wards arrangements, each Community Council will have three or more Councillors as ex officio members.

It is anticipated that Elected Members within each new ward will, amongst themselves, determine who will work most closely with the individual Community Councils within the ward, but without precluding the opportunity for involvement/input from the other Local Elected Members in the ward. Furthermore, it is considered that, properly managed, these new arrangements will have a positive impact on the current working relationship between Community Councils and Local Councillors, by providing the opportunity for broader lines of, and enhanced opportunities for, communication.

Q 1.6 Is there a need to provide Community Councils with a corporate legal status that clearly distinguishes it from the members or are the current arrangements which have been in place for almost 30 years working satisfactorily?

The current arrangements cause some difficulty in view of matters, which have advanced, particularly in relation to insurance matters, which have become more complex and litigious in recent years. Giving the Community Councils a corporate legal status would be advantageous, as this would ensure that they as individuals would not be held liable. This could be an attractive prospect and is certainly worthy of further consideration. It could also lead the way to an opportunity for Community Councils to work collectively to secure the services of a national Broker or direct Insurer using there collective bargaining power.

Q 1.7 Any general comments on the issues raised here would be welcomed.

No further comments.

CHAPTER 2 – COMMUNITY COUNCILS THAT REPRESENT THE WHOLE COMMUNITY: THE ELECTORAL PROCESS AND DIVERSITY

Q 2.1 How are elections carried out in your area? Do you think the process works well? If not, what changes would you wish to see made?

The arrangements for the administration of Community Council Elections within East Ayrshire are provided for within the East Ayrshire Council Community Council Scheme

(a copy of the Scheme will be forwarded to the Scottish Executive). In general terms, the Scheme provides that East Ayrshire Council is responsible for administering the initial election which sets up a Community Council for the first time or where it is being re-established following an earlier dissolution. Subsequent ordinary elections are the responsibility of the individual Community Councils. A Procedure Note (“Procedure note for Community Council’s – Administration of Community Council Elections”) offers detailed and comprehensive guidance relating to when and in what circumstances elections need to be held; meeting venue arrangements; arrangements for inviting and dealing with nominations; chairing the election; the election process; and arrangements for the first meeting of the Community Council following the election.

While elections other than the initial election are the responsibility of individual Community Councils, the Administration Section within the Department of Corporate Support will provide such information/advice or assistance which may be required to a Community Council in relation to the election process, and this point is highlighted in the Procedure Note which also includes a list of Officers within the Administration Section who can be contacted and their direct contact details.

Q 2.2 Do you think local authorities should be required to monitor and or oversee Community Council elections, or do you take the view that this should be the responsibility of individual Community Councils?

East Ayrshire Council does undertake a general monitoring and overseeing role in respect of Community Council Elections. The Council administers the initial election which sets up a Community Council for the first time or where the Community Council has been re-established following an earlier dissolution. In addition, East Ayrshire Council has detailed arrangements in place to ensure that Community Councils have ready access to information or advice which they may require in relation to the election process; and where necessary, arrangements can be made for the appropriate officers of the Council to undertake tasks in connection with the election process and/or to be present at an election to advise and/or assist.

Accordingly, while it is considered that the local authority should have a role in monitoring and overseeing Community Council Elections, along the lines currently undertaken within East Ayrshire as described above, it is not felt that there is a need for the local authority to be routinely or normally involved in the running of the election process. In the main, experience had shown that Community Councils are sufficiently well organised and capable of running their own elections.

Q 2.3 How frequently are Community Council elections held in your area?

The East Ayrshire Council Community Council Scheme provides that each Community Council must hold an ordinary election at least each third year, but there is an option for elections to be held within that period to fill any vacancies.

Q 2.4 Should the duration between elections be prescribed? If yes, what should this period be?

It is considered that the maximum duration between elections should be prescribed and should be for a period of at least 3 or possibly 4 years. Such a period of time would enable Community Councillors to properly familiarise themselves with all aspects of their role, the role of the Community Council and any issues with which the Community Councillor is concerned. It is considered that there are considerable benefits to a longer period of tenure for Community Councillors in terms of development of knowledge, skills, awareness of issues, continuity and development of relationships with local people and the local community, while at the same time the principle of democracy would not be compromised. Any arrangements which might be prescribed should, however, allow flexibility for elections to take place in the interim period to provide the opportunity for filling vacancies.

Q 2.5 Are Community Council elections in a local authority area generally held on the same date? If not, do you think there would be any benefit in doing so?

Within East Ayrshire Community Council elections are organised by individual Community Councils and there is nothing prescribed by the local authority requiring all elections to be held on a particular date. It is not envisaged that there would be benefit in requiring Community Councils to hold elections on a particular date, since this would remove a significant area of flexibility which facilitates the election process for individual Community Councils.

Q 2.6 By what method are Community Council elections held in your area?

The detailed arrangements are set out in the "Procedure Note for Community Councils – Administration of Community Council Elections" which will be forwarded to the Scottish Executive. In general terms, if the number of nominations for Community Councillors does not exceed the available membership, there is no requirement for an election by ballot and candidates are simply appointed to the Community Council. Should the number of nominations exceed the number of available places, a ballot will be required, and those candidates with the greatest number of votes as cast by those eligible to vote, up to the maximum number of members of the Community Council, shall be elected.

Q 2.7 What steps has your local authority take to implement the McIntosh Report recommendation to improve electoral arrangements for Community Councils?

It is considered that the current arrangements for voting in Community Council elections have operated reasonably satisfactorily so far. However, the Council is aware of the McIntosh Report recommendation and will bear this in mind appropriately in terms of any future review of the Community Council Scheme.

Q 2.8 If appropriate, to what extent did these changes increase voter turn-out? (Any facts and figures on turnout rates would be helpful).

Not applicable.

Q 2.9 Notwithstanding the recommendations of the McIntosh Report, what lessons can be learned from previous elections in seeking to improve voter turnout?

Voter turnout in many cases, is a direct consequence of the level of interest which exists within the area within which the Community Council operates and the matters with which the Community Council concerns itself i.e. local perception of the Community Council and how it operates, how effective it is and so on. It has to be acknowledged that in some areas there is limited interest from the public in the local Community Council and this can manifest itself in low voter turnout at Community Council elections.

While substantial publicity within the local community would no doubt yield a greater voter turnout than otherwise would have occurred, it is suggested that a more genuine means of improving voter turnout is for Community Councils to ensure that they are active and effective, interact and communicate with the local community, and are relevant to the local community in terms of the issues which they concern themselves with.

Q 2.10 What can be done, either by Community Councils or local authorities, to encourage more people to put themselves forward to stand as Community Councillors?

It is considered that the issue here is similar to that discussed in Q2.9, above, in that the best way to encourage people to get involved by becoming Community Councillors is for Community Councils to be active, effective, relevant to, and have a strong relationships and links with, the local community, thereby demonstrating to potential members that involvement would be a worthwhile and productive commitment.

Q 2.11 What is done in your area to publicise Community Council elections and how effective has such publicity been?

At least 21 days before the proposed meeting, the Community Council must advertise the Community Council Election on public notice boards within the area, giving the date, time and place at which the meeting is to be held and inviting Local Government electors of that Community Council area to attend. The Community Council may also take such other steps as it sees fit to publicise the election, e.g. advertisement in the local press. In addition "word of mouth" is an effective means by which individual members of the Community Council can make known the details of the election meeting.

It is considered that the current arrangements for publicising Community Council Elections have operated satisfactorily. As noted above, there are other factors affecting voter turnout at elections, not only the nature of publicity given.

Q 2.12 We would also welcome any other general comments you have on Community Council elections.

No further comments.

Q 2.13 Does your local authority's Community Council scheme provide for co-option?

Each Community Council may fill casual vacancies by co-option, and members co-opted shall be entitled to vote and shall be referred to as "Co-opted Members". Each Community Council may also co-op other persons for such other purposes as it deems appropriate, for example, people with particular knowledge in respect of possible Community Council projects or initiatives. Such persons, referred to as "appointed persons" are not members of the Community Council and shall not be entitled to vote, nor should they be eligible for office bearers posts or entitled to vote at any meeting of the Community Council.

Q 2.14 If co-option is allowed, to what extent have Community Councils embraced this and where they have, how successful has it been?

The use of co-option to fill casual vacancies has been used extensively by Community Councils in East Ayrshire and is considered to be an effective means of maintaining membership levels in the interim period between elections.

Q 2.15 How effective is co-option as a means of widening access to people who might not otherwise become involved in their Community Council?

From past experience, it is considered that the use of co-option for this purpose has been limited.

Q 2.16 Have you any experience of using co-option as means of harnessing specific knowledge or expertise on either a long term basis or for a specific task? If yes, please elaborate.

Provision for such co-option is included within the East Ayrshire Council Community Council Scheme, as referred to in Q2.13, above, however, co-option by Community Councils for this purpose has been limited.

Q 2.17 What steps have Community Councils taken to implement the recommendation contained in the McIntosh Report that Community Councils do more to involve young people and how successful have such efforts been?

Experience to date within East Ayrshire is that some Community Councils have endeavoured to promote involvement of young people in the work of the Community Council, however this has been to a limited extent and with limited success.

It is suggested that the Community Councils will be in a position to provide a more detailed analysis in response to this question.

Q 2.18 General comments on issues raised in this Chapter would also be welcomed.

No further comment.

CHAPTER 3 – GETTING THE MESSAGE ACROSS – HOW COMMUNITY COUNCILS INTERACT WITH THEIR LOCAL COMMUNITY, LOCAL AUTHORITY AND OTHER STAKEHOLDERS

Q 3.1 What methods do Community Councils use to establish the views of the community they represent?

It is considered that the close relationship which the Community Council and the individual Community Councillors have with the local community and local people is very important in enabling the Community Council to establish, or at least “get a feel for” the views of the community which they represent. This is a somewhat informal process which does depend very much on local contact and “word of mouth”, but, however, utilises the fundamental strength of Community Councils as being locally based and comprised of members of the local community.

Where a larger, or more significant issue arises within the community, Community Councils may undertake a more formal method of establishing the views of the local community, perhaps in the form of a public meeting or a survey of residents or a sample of residents. Additionally, in respect of more significant issues, particularly where there are strong views within the community, it can be expected that members of the public will take a proactive approach and that this would involve contacting or perhaps lobbying the Community Council, in recognition of the importance of its role in representing the views of the local community.

Q 3.2 To what extent can local authorities and other public bodies determine whether the views expressed by Community Councils are genuinely representative?

The comments made in respect of Q3.1, above, are relevant here. Unless the Community Council has undertaken a formal consultation in the form of a public meeting, residents survey or something similar, there is often very little that is tangible to confirm that the views expressed by the Community Council are genuinely representative and involve the local community. However, Community Councils are locally based organisations comprising local people and utilise, on a less formal basis, contacts and relationships with the local community.

Q 3.3 Do you have any other general comments about how Community Councils can ensure that they accurately represent the views of their communities?

No further comments.

Q 3.4 Other than where there is a statutory duty to do so, how do Community Councils and local authorities decide which issues Community Councils should be consulted on or indeed be involved in the decision making process?

East Ayrshire Council, in terms of its Decentralisation Scheme, has in place seven Local Area Committees, membership of each of which comprises local Councillors for the area and ten representatives of Community Organisation Sectors within the local area. At least one “core” place for Community Representatives on each local committee is reserved for Community Councils, although in reality many of the local committees have provided places for more than one Community Council representative. In general terms, local committees are responsible for ensuring that Council services focus properly on local needs. Members of the local community have the opportunity as community representatives, to input into that process, including Community Councils, and in this way the Council ensures that Community Councils are effectively consulted on a range of service delivery issues effecting a local area, and also have the opportunity to raise issues and have these addressed.

Notwithstanding, the Council Departments are aware of the existence and role of Community Councils and of the importance and benefits of consulting and liaising with them in respect of appropriate local service delivery issues.

Q 3.5 Do Community Councils feel that local authorities provide them with adequate opportunity to comment on matters affecting their area? If not, did they raise this with their local authority and what was the outcome?

In addition to those issues where statutory consultation is required and the opportunity provided by the local committee system, the Council has also established the “Code of Practice for Community Councils” which sets out quite clearly the respective roles and responsibilities of East Ayrshire Council and Community Councils in relation to the exchange of information and the various mechanisms through which this can be achieved and therefore the opportunities which exist for Community Councils to comment on matters affecting their area.

More generally, as noted in Q3.4, above, Council Departments will where appropriate endeavour to consult and liaise with Community Councils in respect of relevant local issues.

Additionally, as noted previously, Community Councils are provided with direct contact information for officers within the Administration Section of the Department of Corporate Support who will be happy to advise or assist Community Council’s in pursuing issues or concerns which they may have with the appropriate departments or body.

Q 3.6 Are Community Councils suffering from consultation overload and if so, what can be done to reduce the burden on them?

It is not considered that Community Council’s are, in general terms, suffering from consultation overload, although it is recognised that, from time to time, there may be a

need for the Community Council to consider and respond to consultation from a range of bodies, within specific timescales.

It is suggested that the Community Councils will be in a position to provide a more detailed analysis in response to this question.

Q 3.7 Has your local authority any systems or processes to assist Community Councils to respond to fairly immediate requests for information/consultation papers e.g. oral requests for information? If so, please briefly outline what these are.

East Ayrshire Council recognises the voluntary nature of Community Councils and their meeting arrangements etc, and accordingly endeavours, where possible to take this into account when consulting with Community Councils on relevant issues. Similarly, the Council endeavours to ensure that instances where Community Councils are requested to respond to information/consultation papers at very short notice are minimised.

On those occasions when immediate requests are made of Community Councils, East Ayrshire Council will, where possible, assist the Community Council and facilitate any mechanism which would be considered appropriate to enable a response to be provided.

Q 3.8 Views would be welcomed on whether there are any areas of activity e.g. licensing applications where by local authorities should be obliged to consult Community Councils? If yes, should these be formally specified or is this best left to local authorities to determine in consultation with their Community Councils?

It is considered that the current provisions are satisfactory. In addition to the statutory provisions which exist regarding consultation with Community Councils, East Ayrshire Council has in place a range of mechanisms to facilitate consultation with Community Councils. In addition, Community Councils have the opportunity to respond to general public consultation on any issue undertaken by the Council.

Q 3.9 What bodies, beside local authorities, do Community Councils engage with on issues of local concern? Is this engagement direct or via the local authority?

In addition to local authorities, Community Councils engage with most of the public services, including the utility operators, and also local interest groups, where necessary. In most cases this engagement is a result of direct contact between the Community Council and the body/organisation concerned, although this does not preclude instances where the local authority may, for example, take a lead role in an issue which would require joint engagement with the Community Council and another body; or where local authority refers a Community Council to a contact within another body or vice-versa.

Q 3.10 If appropriate, how effective has this engagement been and have there been any obstacles which have had to be overcome?

It is understood that there have been no significant difficulties for Community Councils in East Ayrshire being able to engage with other bodies.

Q 3.11 Are Community Councils involved in the Community Planning process in your area? Is engagement in the Community Planning process an effective means by which Community Councils can engage with bodies such as the police, the NHS, etc?

Within East Ayrshire, two Federations of Community Groups, one representing the north and one the south of the Authority, comprising representation from communities across East Ayrshire and building on the significant success in community engagement of the Coalfield Area Social Inclusion Partnership and the North Social Inclusion Initiative, have four members each on the Community Planning Partnership (CPP) Board. The Federations:

- influence the strategic agenda of Partner agencies;
- ensure that engagement in the Community Planning process is informed by the views of communities across East Ayrshire;
- ensure community representation in decision making;
- identify local issues and drive forward local projects; and
- facilitate communication with the people who live in our communities.

Four additional representatives from the wider community are also represented on the CPP Board.

Membership of both Federations is drawn from community councils and communities of interest across East Ayrshire, including people with a disability, older people, and young people. This ensures that information is effectively passed from local communities via representative groups, such as community councils, to the CPP Board and from the CPP Board back to local communities. In addition, it ensures that there is a local focus for Community Planning and a structured and effective route for local community planning priorities to affect decisions at the CPP level. The networking afforded by regular meetings allows the Federations' representatives to establish close links with Partner agencies, including Strathclyde Police and NHS Ayrshire and Arran.

The chairs of both Federations participate in the Community Planning Core Partners' Group and have been nominated as Vice Chairs of the CPP Board.

Q 3.12 Any general comments on this Chapter would be welcome.

No further comments.

CHAPTER 4 – FUNDING, SUPPORT AND TRAINING

Q 4.1 What methodology is used to determine funding for Community Councils in your area?

An annual grant is provided by East Ayrshire Council towards the administrative and general running costs of the Community Council. The annual grant comprises a base figure of £145 for each Community Council and a payment of 5p per person according to the population of the Community Council's area, rounded up to the nearest whole number.

In addition, East Ayrshire Council makes available to Community Council's an accommodation allowance in the form of up to 15 free lets per annum of East Ayrshire Council premises.

Q 4.2 What funding does your Community Council receive from the local authority and does the level of funding/support require you to meet any of your day to day running costs by other means? If yes, please outline how these costs are met.

This question is directed to Community Councils.

Q 4.3 Does the level of funding and or lack of support services impact on your ability to carry out your functions? If yes, please explain.

This question is directed to Community Councils.

Q 4.4 In addition to direct local authority funding, what, if any, support services are available to Community Councils in your area?

As previously noted, in terms of the organisation and operation of Community Councils, the Administration Section within the Department of Corporate Support provides direct contact for all Community Councils should they require any advice or assistance.

Q 4.5 Do you have any other general comments about the funding and support provided to your Community Council?

This question is directed to Community Councils.

Q 4.6 What training/advice is provided to new Community Councillors and Community Councils generally?

The role played by the Administration Section in providing advice and assistance is not only for the benefit of Community Councils generally but also for individual Community Councillors including new Community Councillors.

More specifically, there is a recognition that it is important for Community Councils to ensure that their financial affairs are conducted in a proper manner, including that

appropriate accounting records are maintained. For this reason, East Ayrshire Council has prepared and issued to Community Councils a range of guidance/advice/information in relation to proper financial management, and a training session for Community Council Treasurers is currently being arranged.

Q 4.7 Do Community Councillors feel they have adequate knowledge, skills and training to carry out their function? If not, please elaborate.

This question is directed to Community Councils.

Q 4.8 What do you think is the minimum training/advice required by Community Councillors?

It is considered that there is a need to provide Community Councillors with information/advice/guidance documentation in relation to the key and fundamental areas of their activity, such as the various documents issued by East Ayrshire Council, as referred to in response to previous questions in this paper.

Q 4.9 Is there a point of contact for Community Councils within your local authority who is able to provide advice, support and guidance? If so, how helpful is this service?

As noted previously, Community Councils are provided with direct contact details for Officers within the Administration Section of the Department of Corporate Support who will provide any necessary advice, support, guidance and assistance to Community Councils. East Ayrshire Council considers this to be an important and helpful service for Community Councils.

Q 4.10 How do we capture good practice at Community Council level? Is there a role here for the ASCC?

East Ayrshire Council, in terms of its formal relationship with Community Councils will identify examples of good practice locally. However, it is considered that there is a key role to be played by the ASCC in at least capturing examples of good practice at the wider national level and perhaps also issuing information on same to Community Councils and local authorities.

Q 4.11 Any general comments on this Chapter would be welcome.

No further comment.

CHAPTER 5 – CODE OF CONDUCT FOR COMMUNITY COUNCILS

Q 5.1 Are Community Councillors in your local authority area covered by a Code of Conduct? If yes, please outline briefly how it operates or provide a copy.

Community Councillors in East Ayrshire are not covered by a Code of Conduct.

Q 5.2 Is there a need for a Scotland-wide statutory Code of Conduct for Community Councillors, or do you think this should be left to the discretion of individual local authorities? If the latter, would there be benefits in the Scottish Executive drawing up a model framework?

Proper conduct by Community Councillors is essential to ensure the good standing and legitimacy of Community Councils, not least in the local area. Accordingly, it is considered that there is a need for a Scotland wide statutory Code of Conduct for Community Councillors in order to promote consistency and good practice on this important issue.

Q 5.3 If you consider that there should be a statutory code, are you content that any breaches be investigated by the local authority and/or Community Council as opposed to the Standards Commission? If not, please give your reasons.

Any alleged breaches to a statutory Code of Conduct should be investigated by an independent third party, be it the Standards Commission or some other body. While local authorities would no doubt investigate any breaches in a proper and impartial manner, local authorities may not be seen to be entirely independent in view of the nature of their role and responsibilities in relation to Community Councils.

Q 5.4 Any general comments on this Chapter would be welcome.

No further comments.

CHAPTER 6 – NATIONAL ISSUES FOR A NATIONAL ASSOCIATION?

Q 6.1 Should matters of national interest be pursued by a national association such as the ASCC rather than individual Community Councils? Please explain.

It is considered that the views of Community Councils on matters of national interest would best be pursued by a National Association which, following consultation and liaison with member Community Councils, would be in a position to present a clear and unambiguous response. A view so determined and expressed may carry with it additional weight.

It is considered, however, that this is a question which should also be responded to by the Community Councils, who may take the view that they would wish to reserve the option to pursue particular issues of interest on their own behalf.

Q 6.2 Could Community Council network groups have a role to play in this regard?

In event that a National Association, or similar, was established, in terms of Q6.1, above, it is considered that Community Council Network Groups would have a key role to play in ensuring effective working arrangements.

Q 6.3 What do you regard the role and function of the ASCC to be?

The perception of this authority is that the role of the Association of Scottish Community Councils is to provide a central information/support resource to Community Councillors and their work; to actively promote the role and effectiveness of Community Councils; to ascertain, co-ordinate and express the views of Community Councils; and encourage the exchange of information between Community Councils.

Q 6.4 If appropriate, what is the nature of your contact with the ASCC? (It would be useful to get both the Community Council and local authority perspective on this).

To date contact between this authority and the Association of Scottish Community Councils has been limited and restricted to specific issues for example insurance cover for Community Councils. Occasionally, the authority has acted as a conduit for passing information received from the Association to Community Councils.

Q 6.5 Is your Community Council a member of the ASCC? If not, why not?

This question is specifically directed to Community Councils.

Q 6.6 If a member of the ASCC, what benefits do you derive from that membership?

This question is specifically directed to Community Councils.

Q 6.7 Any thoughts on what the ASCC could do to improve membership levels?

This question is specifically directed to Community Councils.

Q 6.8 Any general comments on this Chapter would be welcome

No further comments.