

REPORT

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| To: GENERAL PURPOSES COMMITTEE | | Subject: SCOTTISH EXECUTIVE REVIEW OF THE OPERATION OF COMMUNITY COUNCILS – “WHAT CAN WE DO TO HELP COMMUNITY COUNCILS FULFILL THEIR ROLE ?” |
| From: DIRECTOR OF ADMINISTRATION | | |
| Date: 27 December 2006 | Ref: TG/MT | |

1. Purpose of Report

1.1. The purpose of this report is to bring to the attention of the Committee receipt of an analysis of responses to the Scottish Executive discussion paper "What can we do to help Community Councils to fulfil their role ?" following the recent consultation exercise.

2. Background

2.1. The General Purposes Committee on 14 January 2006 considered a Consultation document which had been issued by the Scottish Executive that sought views on the legislative framework regulating the operation of Community Councils; the applicability and effectiveness of Local Authority Schemes for Community Councils; arrangements for Community Council Elections and proposals to increase voter turn out; funding for Community Councils, and the need for a Code of Conduct for Community Councillors, amongst other things.

2.2. At its meeting on 8 March 2006 the Committee noted that, in order to meet the deadline for submissions to the Scottish Executive on the consultation document, and, following consultation with the Convener, a response had been prepared and submitted on behalf of the Council. A copy of the Council's submission was attached as an appendix to that report.

3. Proposals/Considerations

3.1. Following the conclusion of the Scottish Executive consultation exercise earlier this year, an analysis of the responses to the discussion paper was undertaken by the Local Government and Licensing Division of the Executive, the results of which were then passed to the Scottish Ministers for their attention.

3.2. The Scottish Ministers have now considered the analysis of responses and the submissions made to them and have issued a summary of recommendations, a copy of which is attached as an appendix to this report.

3.3. The Scottish Executive has further advised that it will provide Local Authorities and other interested parties with further advice on which of the recommendations are intended to be taken forward and details of how this will be done in due course.

4. **Recommendation**

- 4.1 The Committee are asked to note the receipt of the summary of recommendations from the Scottish Executive following the recent consultation exercise on Community Councils and that further details on implementation will be forwarded in due course.

T. O. Gaffney

Director of Administration

Should any Member require further information, please contact Tom Gaffney on 01698 302342.

Annex A

SUMMARY OF RECOMMENDATIONS

There are 21 recommendations arising from the Review which are as follows:-

- Consider further whether any amendments to Section 52 & 53 of the Local Government (Scotland) Act 1973 is required in relation to the consultation process in support of Community Councils Schemes or any amendment to existing schemes.
- Draw up a Model Community Council Scheme for use by Local Authorities.
- Consider further, in liaison with local authorities, the need for public liability provisions and / or corporate status for Community Councils.
- While the impact of multi member wards on engagement with community councils is a matter for individual local authorities to take forward, the Executive should take every opportunity in its dialogue with local authorities to impress upon those who have not already done so, to start the process now. Steps should be taken now to imbed this message in the Scottish Executive Reform Core script.
- Local Authorities who not do so at present should consider what benefits could be derived from holding the community councils elections on the same day throughout their local authority area. In doing so, the duration of office, along the lines of 3 or 4 years, should also be considered together with the merits of holding a rolling programme of elections, say every two years, in order to ensure continuity of experience of community councillors.
- Local authorities/ community councils should be encouraged to experiment with alternative voting arrangements, including postal voting which has been shown to improve voter turnout. Postal voting and issue of ballot papers to all households also provide an opportunity to raise the profile of community councils and potentially revitalise interest in the role and work of Community Councils generally.
- Local Authorities should review their process and support systems for community council elections.
- Notwithstanding the difficulties generally to secure full membership, Community councils need to ensure that they take positive actions to maximise the scope for their membership to reflect the area they represent if they are to be successful in their aspirations of being equal partners in citizen engagement. Improving links generally with other local community groups, reviewing the way they target people in the run up to elections and talking *positive* steps to address any imbalance in their membership following elections are all to be commended.
- Whilst acknowledging that many community councils make sterling efforts to secure youth representation they face the same problems as other local and national groups in this regard. That said improving youth membership should be maintained as an objective and direct contact with the school's youth council rather than via the head teacher/ school board should be considered. Lowering the minimum age to 16 could be considered. Promoting the role of community councils through an educational programme, in liaison with their local authority,

should be considered and other good practice includes the creation of a youth sub group; attendance on an ad hoc basis when issues affecting the youth of the area are being discussed, actively engaging them in the development of projects such recreational projects; creative use of contact by IT as a medium, etc.

- Local Authorities should review their rules on co-option to maximise opportunities for the retention of co-opted members and specifically to consider, if appropriate, whether the absence of voting rights acts as a disincentive for such membership by this method.
- Notwithstanding the very real commitment and motivation of every Community Council to serve its local community and the sterling work they do in this regard, many need to do more to be able to demonstrate that they are representing the views of the people in their local area. Again there is lots of good practice to draw from albeit it needs to be noted that there are resource implications in implementation. Examples include the holding of public meetings on issues of significant importance/ matters they have been consulted on particularly by public bodies; and on an ad hoc basis to engage the local community more generally; use of surveys and questionnaires; advertise meetings via local media to encourage attendance and discussion on the issues at hand; leafleting; Newsletters; and securing the agreement of their local authority to have a webpage on the council website.
- As part of the civic engagement process, the Scottish Executive and other public bodies should ensure that community councils are given equal status to other local representative bodies and in doing so they should also strive to consult such bodies at the earliest possible stage in the development of policy and the decision making process on local issues. Furthermore, the need for feedback on outcomes from any form of consultation or decision making process should not be overlooked and mechanism for doing so need to be established.
- Community councils should consider the benefits to be derived from membership of Area Forums etc which could potentially provide them with a stronger voice in the engagement process in their locality.
- The Scottish Executive, local authorities and others should consider introducing Executive Summaries for all their Consultation Papers and that a 12 week period for responses should be the norm save in exceptional circumstances.
- In light of the mixed response on whether or not Community Councils should be consulted on the myriad of licence applications and given the difficulties some experience with consultation overload, Local Authorities should be encouraged to consult with their community councils or whether or not they wish to be given the opportunity to comment on individual licence applications. In doing so, there would need to be a recognition by community councils that the timeline for responses– most of which are set out in statute – could be quite challenging for them. Realistically, community councils would not be able to pick and choose the licence applications they were interested in seeing given the undue burden that would place on their local authority.
- Core funding for Community Councils should remain the responsibility of Local Authorities. The methodology used in this regard should also remain with local authorities who are best placed to determine the level of funding required to take account of the role of community councils in their area. In doing so however, local authorities should ensure that they alert their Community Councils to any other funding streams, including grants, which may be available to them.



- Local Authorities should review the level of non financial support they provide to their Community Councils and in doing so should ensure that their community councils are aware of such services.
- Await the findings of the Reviewing Local Democracy E Project in order to determine the lessons learned from the project and the scope and benefits of any rollout across Scotland.
- Local Authorities should review the priority they give to training and development of their Community Councillors. Those who have not already done so should produce Operational Handbooks drawing on the experience and expertise of those local authorities who have already introduced them. Training and development can take many forms and cognisance needs to be taken of the fact that community councillors are volunteers and may not necessarily wish to attend a raft of formal training courses on week days or at weekends. While Induction Training for new Community Councillors, whatever form that takes, should be mandatory, optional training on subjects such as record keeping, public speaking, role of Office Bearers, Committee skills etc would also be beneficial.
- A Code of Conduct should be introduced for Community Councillors. The Scottish Executive should draw up a draft Code and consult on its terms and in doing so, seek views on whether or not it should be Statutory or non statutory and who whether the local authorities or community councils themselves would be best placed to enforce it.
- Review the role of the Association of Scottish Community Councils (ASCC) .

