

Agenda Item	
Report No	

Community Council Review Approach

Report by the Assistant Chief Executive

Summary

Following the introduction of the Scottish Government's new Model Scheme this report seeks approval from Members for the approach and timescale to review the eight Community Council Schemes currently in operation in Highland with a view to replacing them with one Highland scheme. This includes the approach to consulting with Community Councils on the changes proposed.

1. Introduction

- 1.1 The Council's Programme states that that Council will agree a new Scheme for Community Councils by 2010 and continue to provide financial and practical support to them. This report seeks approval from Members for the approach to undertake this review in Highland and the timescales for it. Further reports will be brought back before this Committee providing details of the proposed new Scheme.
- 1.2 Highland's Single Outcome Agreement 2 states that "*Our Communities take a greater role in shaping their future*". This outcome relates to voluntary activity in Highland including Community Councils. The introduction of a new Scheme in Highland will contribute towards this local outcome.

2. Background

- 2.1 Community Councils are created under a Scheme of Establishment enacted under the 1973 and 1994 Local Government Acts. The Highland Council area currently has eight operating Schemes which date from arrangements inherited from the District Councils in Highland prior to 1996.
- 2.2 The existing Schemes vary considerably from each other and are now considerably out of date. A commitment has been made to review the existing Schemes with a view to moving to one Highland Scheme following the publication of a Model Scheme by the Scottish Government on 31st March 2009.

3. Proposed Approach

- 3.1 It is proposed that the Government's new Model Scheme, Constitution and Code of Conduct form the basis for the new Scheme in Highland. Members can access this documentation at the following <http://www.scotland.gov.uk/Topics/Government/local-government/CommunityCouncils>. The documentation is designed to be adapted for local Council implementation therefore it is proposed that these documents are reviewed internally prior to going out to consultation.
- 3.2 A new Scheme and associated documentation for Community Councils in Highland will need to consider a number of areas including:
 - Size and composition of Community Councils including boundaries;
 - Election procedures;
 - Financial support;
 - Code of conduct and associated dispute resolution.
- 3.3 The legislation governing the creation of Community Councils sets out the process

through which to review and create a new Scheme. There are three stages for consultation:

1. Announcement of the intention to revoke current Scheme and invitation for suggestions on the area and composition for Community Councils.
2. Publication of a Draft Scheme and request for representations on this draft.
3. Further consultation on any proposed amendments following the first period of consultation.

3.4 An officer working group has been set up Chaired by the Corporate Manager for Caithness, Sutherland and Easter Ross to take forward this work. This group will commence an internal review of the Model Scheme to develop proposals on how it could be adapted to meet the needs of the Highlands.

3.5 It is recommended that stage one of this process should begin in September, announcing the intention to revoke the current Scheme and inviting suggestions on the area and composition of Community Councils. A further report would be brought back before Members at the Council meeting in February 2010 prior to stage two of the consultation, outlined in paragraph 3.3.

3.6 Stage two phase of consultation will utilise Ward Forums to engage with the public. It is proposed that three regional annual meetings are introduced with Community Councils. This will enable Community Councils to discuss the proposals with Council Members and officials.

3.7 The full review should be completed by December 2010 when a final report will be presented to Members. A full timetable detailing the proposed approach can be found at appendix one.

4. Resource implications

4.1 Community Councils are supported financially by Highland Council in the form of an annual grant. This grant requires to be reviewed and this will be part of the internal preparation of the Scheme. Financial support currently provided to Community Councils in Highland totals £208, 951.

4.2 This is a significant review of current Community Council arrangements in Highland and this will take around 18 months in total. The review will take place at both strategic and operational level and involve three significant periods of public consultation which will have implications in terms of officer time.

5. Recommendation

Members are asked to approve:

1. the approach being taken to the review of Community Council Schemes in Highland and;
2. the timescales for the process as set out in Appendix 1.

Signature:

Designation: Assistant Chief Executive

Author: Alison Clark, Policy Officer

Date: 28.5.09

Highland Council Community Council Review

Proposed Timetable

Time Period*	Action
June – September 2009	Internal review of Scottish Government documentation
18 th September – 18 th December 2009	<i>12 Week Public Consultation – Stage 1.</i> Notice of intention to revoke current Schemes and asking for written representation on suggestions for the area and composition of Community Councils
February 2010	<i>Report to Highland Council:</i> outlining the details of the Draft Scheme including proposed Community Council areas
1 st April – 1 st July 2010	<i>12 Week Public Consultation - Stage 2.</i> Public invited to comment of the Draft Scheme
September 2010	<i>Report to Highland Council:</i> outlining proposed amendments to the Scheme following stage 2 consultation.
October – November 2010	<i>8 Week Public Consultation – Stage 3</i> Public invited to comment on amendments to the Draft Scheme.
December 2010	<i>Report to Highland Council:</i> presenting the new Scheme for Highland for adoption

*Subject to amendment