

Changes to the Scheme

A Community Council would like to make fundamental changes to their constitution which would also have to be applied to the Scheme. Is this possible?

The Community Council Constitutions form part of the Community Council Scheme. The Council is committed to reviewing the Community Council Scheme in each electoral cycle. Proposed amendments to the Scheme should be referred to the named Highland Council Liaison Officer in order that they can be considered at the next review of the Scheme. It is not possible in terms of the Scheme adopted by Highland Council for individual Community Councils to make changes to the Scheme or any one of the suite of documents which make up the scheme, including the constitution without the consent of the Council (see paragraph 14.3 of the Scheme and paragraph 16 of the Constitution). It will be important for the Council to assess how any proposed new arrangements would work in practice before agreeing any amendments to any part of the Scheme.

Different levels for forming a Community Council and Co-option

Is it possible to form a Community Council with half of the total possible membership?

It is appropriate that a Community Council should be able to operate if it attracts nominations for 50% of possible places. In this instance it can co-opt additional members according to section 6.3 in the scheme:

“6.3 Co-option to Community Councils

- *Notice of any proposed co-option of a member or members shall appear as an item on the agenda for the Community Council meeting which will be sent to all of the Community Council’s members at least 7 days prior to the meeting when the matter will be decided.*
- *Co-opted members must be eligible for membership of the Community Council in terms of paragraphs 5.2 and 5.3 of this Scheme.*
- *Members cannot be co-opted on to the Community Council except by a majority of no less than two thirds of the elected (general and interim) Community Councillors present and voting.*

- *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 (general and interim)."*

For example CC with a maximum membership of 8:
Minimum 4 elected plus up to 4 co-opted to maximum total of 8

For example CC with a maximum membership of 9
Minimum 5 elected plus up to 4 co-opted to maximum total of 9

For example CC with a maximum membership of 10
Minimum 5 elected plus up to 4 co-opted to maximum total of 10, but if only 5 are elected the maximum membership would be 9 not 10

If a CC does not have enough nominations to have an election but has sufficient nominations i.e. over 5, when does the new CC form?

You will know at the end of the withdrawal period whether or not a CC has an election. If it has no election and has sufficient nominations the named Highland Council Liaison Officer can arrange the first meeting of that CC as soon as possible after the close of withdrawals.

In the past insurance was taken automatically from grants. Will this happen in the future? If so, does this mean that the amounts identified in the recent grants report will be minus the insurance amount when it is given to them?

No. CCs are responsible for arranging their own insurance. The annual grant includes an amount to cover the basic insurance premium.

Complaints

How does someone raise a complaint regarding an individual's behaviour in relation to the Code of Conduct?



In the first instance, any complaint regarding a Community Council should be raised directly with the Community Council and they should be given the opportunity to respond. Should this not achieve a satisfactory response then please address concerns to the named Highland Council Liaison Officer for the area:

For guidance on complaints please see

https://www.highland.gov.uk/info/772/politicians_elections_and_democracy/364/community_councils/6