

Report

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Report to:	Performance and Review Scrutiny forum
Date of Meeting:	18 January 2011
Report by:	Executive Director (Corporate Resources)

Subject:	Community Council Member/Officer Task and Finish Group - Progress
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise the Forum on progress made by the Member/ Officer Task and Finish Group established to carry out a review of Community Council arrangements.

2. Recommendation(s)

2.1. The Forum is asked to approve the following recommendation(s):-

- (1) that the progress made by the Member/Officer Task and Finish Group established to review the arrangements for administering Community Councils be noted; and
- (2) that the intention to continue to utilise the Community Council Task and Finish Group to progress the review of boundaries and naming conventions be noted.

3. Background

- 3.1. In 2005 the Scottish Executive had issued a discussion paper entitled "What can we do to help community councils fulfil their roles". One of the key outcomes arising from the issues raised in response to the discussion paper was that the Scottish Executive would establish a short life working group to take the various issues forward.
- 3.2. The Group was formally established in May 2007 with the main remit of producing a model Scheme for Local Authorities and to develop a model code of Conduct for Community Councillors as well as producing good practice guidance for both community councils and local authorities. The Group had produced a formal consultation document which the Council responded to in August 2008.
- 3.3. The outcome of the consultation process had resulted in the finalised model documents which had been endorsed by both COSLA and The Scottish Government
- 3.4. An expectation was then placed on Councils to undertake a full review of the current arrangements for administering Community Councils following the publication of a model Scheme for the Establishment of Community Councils, the model Code of Conduct and supporting documentation.

- 3.5. The review would involve looking at the current Scheme, the Code of Conduct, Standing Orders and model Constitution as well as Community Council boundaries and naming conventions. It was determined that the review process would lend itself ideally to being progressed by a short life Member/Officer Task and Finish Group. The Group, amongst other things, would develop proposals that reflected local conditions specific to communities in South Lanarkshire. A copy of the original terms of reference for the Group is attached at Appendix 1.

4. Overview of Progress

- 4.1. The Task and Finish Group was formally established by the Executive Committee on 23 June 2010 and the first meeting of the Group was held the same day when Councillor Lesley McDonald was appointed Chair.
- 4.2. To date, the Group has met on 6 occasions and has considered the model documentation governing the administration of Community Councils in the following order:-
- ◆ Scheme for the Establishment of Community Councils
 - ◆ Constitution
 - ◆ Standing Orders on Procedures
 - ◆ Code of Conduct
- 4.3. Good progress has been made by the Group in reviewing these documents and the input from elected members has provided an extremely useful local emphasis when shaping the content of the documents to reflect local requirements.
- 4.4. The various model documents have now been progressed to a stage where the Group is largely satisfied with their general layout and content. There does, however, remain some work to be done in relation to cross referencing between the documents and some issues relating to the Code of Conduct for Community Councillors which require to be finalised.
- 4.5. At its meeting held on 10 November 2010, the Group agreed that the various model documents be considered at the Annual Community Council Forum held on 18 November 2010. This was considered to be an ideal opportunity to receive direct input from Community Councillors. On the evening, the Chair of the Task and Finish Group set the context of the review and Community Councillors were allocated into Work Groups to assess the model documents in detail.
- 4.6. Feedback from Community Councillors was largely positive in that they felt a wholesale review was overdue and they welcomed the opportunity to contribute at this early stage. The Community Council representatives did provide helpful feedback in a number of key areas and, although there was nothing that had a radical impact on the content of the documents, the Task and Finish Group will, as far as possible, take on board their comments.

5. Next Steps

- 5.1. The next phase in the process will be to look in detail at Community Council boundaries and naming conventions which were issues that Community Councillors raised at the Annual Forum as being of specific interest to them. The Group will commence its review of boundaries early in the new year and we expect this element of the review to present the greatest challenge as, amongst other things, the boundaries and the consequent size of Community Councils will have a direct

bearing on future funding. Again the role of local members on the Task and Finish Group to act as a sounding board for some of the boundary proposals will be key in the review process.

- 5.2. Initially, it was envisaged that the Task and Finish Groups would be of a short life nature and would complete their remit within 6 months. It was always acknowledged, however, that the Group looking at Community Councils would be unlikely to carry out an indepth review of all of the elements relating to Community Councils within this time period. The last review in 1997 took approximately two and a half years. The aim however is to complete the review task and Finish Group by late Spring 2011 prior to undertaking a period of statutory consultation. It would be preferable if this stage could be completed by Autumn 2011 prior to the next scheduled Community Council elections. It is important to note, however, that the timescales for statutory consultation process is not fully under the Council's control.
- 5.3. Following the completion of the Statutory consultation process final Council approval will be taken through the Corporate Resources committee with a reference on to the Executive Committee.

6. Employee Implications

- 6.1. There are no employee implications as a result of the recommendations made in this report.

7. Financial Implications

- 7.1. There are no financial implications associated with the recommendations made in this report.

8. Other Implications

- 8.1. The main risk of failing to review the administration of Community Councils and associated documentation is that the current arrangements become less and less effective.

There are no issues relating to sustainability.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. There is no requirement at this stage in the review process to carry out an impact assessment on any of the proposals.
- 9.2. Appropriate consultation has taken place with Community Councillors and appropriate consultation will continue to be undertaken at key phases in the review process.

Robert McIlwain
Executive Director (Corporate Resources)

10 January 2011

Link(s) to Council Objectives/ Improvements Themes and Values
Partnership working, community leadership and engagement

Previous References

Executive Committee of 23 June 2010

List of Background Papers

- ◆ Model documents listed at paragraph 4.2 in report
- ◆ Revised documents

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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Task and Finish Group - Task Pro Forma

Proposed task project

Review of Community Council Arrangements

Please indicate proposed objectives

Develop proposals for consideration through the Council's decision making process in relation to Community Council arrangements, in particular the development of a revised Scheme for the Establishment of Community Councils taking account of the national model code, constitution and code of conduct as well as local circumstances. As part of this, consideration to be given to the number of community councils/boundaries, funding and roles and responsibilities.

Please highlight potential benefits identifiable at this stage:

- **Customer advantages**
- **Resource efficiencies & financial savings**
- **Opportunities for cross resource working and sharing of good practice**

Customer Advantages

- ◆ Clear statement of Council's arrangements for support to Community Councils
- ◆ Scheme and procedures/documentation, based on Model Scheme, etc promoted by the Scottish Government, consistent with other Scottish local authorities but with adjustments to reflect local circumstances
- ◆ Scheme, Code of Conduct, etc easier to understand and to work within
- ◆ Improved communication framework

Resource Efficiencies and Financial Savings

- ◆ Likely to be largely non-cashable, e.g. less involvement from officers in disputes, providing points of clarification and attending meetings
- ◆ Review of communication channels has potential to realise savings in printing/postage costs

Opportunities for Cross Resource Working and Sharing of Good Practice

- ◆ Cross Resource working to develop arrangements and rationalise communication
- ◆ Potential for Local Authority Community Council Liaison Officers to share information/good practice more easily when working within similar frameworks.

Group representatives (consider trade union representation)

- ◆ Councillors Andy Carmichael, Lynn Filshie, Jim Malloy, Lesley McDonald, Graham Scott, Hamish Stewart, Jim Wardhaugh
- ◆ Lead Officer - Gordon Bow, Administration Adviser
- ◆ Margaret Armstrong, Community Council Liaison Officer
- ◆ Legal Services' representative
- ◆ Election Team representative
- ◆ Other Council Resources/Services as required, eg Central Research Unit, Corporate Communications and Public Affairs, Community Resources, Finance, Licensing, Planning
- ◆ External input as required, eg representative of Scottish Government Working Group, Community Council representation

Proposed timescale for completion and key milestones

The process required and timescales for undertaking consultation for the review of a Scheme for the Establishment of Community Councils are laid down in legislation.

Requirement to assess most appropriate date for implementation of revised Scheme and this will inform start date for statutory process and anticipated completion date.

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| Aug 2010 | Following Council recess, commence initial review of existing arrangements, documentation and supporting information in relation to content of Model Scheme, etc and determine level of input required from internal/ external sources in early stages of review, eg community consultation, focus groups, etc. |
| Dec 2010 | Action plan and timetable in place for progressing review of Scheme in line with legislative requirements. |
| Early 2011 | Commence statutory process in line with agreed timetable. Note – an indicative 10 month timetable for review has been provided by the Scottish Government Working Group. However, it should be noted that the number and subject matter of representations submitted in the course of consultation can impact on the overall timescales. |

