

**ANGUS COUNCIL**

**STRATEGIC POLICY COMMITTEE**

**11 SEPTEMBER 2007**

**REVIEW OF SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS**

**REPORT BY CHIEF EXECUTIVE**

**ABSTRACT**

This report recommends that the Council initiate a review of the Scheme for Establishment of Community Councils particularly in light of the introduction of multi-member wards within the Angus Council area in May 2007.

**1 RECOMMENDATIONS**

The committee:-

- i agree that officers initiate the process for the review of the Scheme for Establishment of Community Councils in accordance with Section 53 (1) of the Local Government (Scotland) Act 1973, following discussion with community councils;
- ii nominate representatives for an elected member working group, comprising three from the administration group and two from the opposition, to act as a sounding board for proposals to be considered by community councils;
- iii agree to hold a special meeting with community councils on the proposed review of the Scheme for Establishment of Community Councils;
- iv agree to form a joint working group comprising the five representatives on the elected member working group in ii above, four community council representatives and appropriate Council officials, to consider improvements to the Scheme for Establishment of Community Councils;
- v agree that officers undertake a wide consultation exercise so that as many residents of Angus as possible are given the opportunity to participate in the review;
- vi note that the Chief Executive will report back to this committee, as appropriate, during the review process;
- vii note that work relating to community council policy within the Scottish Executive now sits with community planning and related work, as part of the Public Service Delivery Division; and
- viii note that the Scottish Executive has initiated a review of community councils at a national level and, if any recommendations from the national review are available during this process, these will be taken into account.

**2 BACKGROUND**

**a Community Council Boundaries**

At its meeting on 24 August 2000, Angus Council approved the finalised Scheme for Establishment of Community Councils (Committee Report 917/00). There were two stages to the review. The first was to amalgamate the former City of Dundee and Angus Council Schemes into one Angus Scheme.

The second phase of the review was to consider changes in the boundaries; revision of the content of the Scheme to ensure that it reflected more appropriately the relationship between the Council and Community Councils; and revision of the Scheme to ensure that Community Councils might work more effectively.

In relation to the changes in the boundaries, the principles which were adopted included:

- a Consistency with Angus Council ward boundaries;
- b Consistency with polling district areas; and
- c Natural community boundaries.

Therefore, efforts were made to ensure that community council boundaries and ward/polling district boundaries and community council boundaries were aligned so far as practicable.

**b Angus Council Ward Boundaries**

At its meeting on 21 June 2005, the Strategic Policy Committee welcomed the Local Government Boundary Commission for Scotland's provisional proposals for eight multi-member wards within the Angus Council area and agreed to make no representations on them (Committee Report 800/05). These new multi-member wards came into effect at the combined Scottish Parliament and local government elections in May 2007:

<b>Ward</b>		<b>Members</b>
1	Kirriemuir & Dean	3
2	Brechin & Edzell	3
3	Forfar & District	4
4	Monifieth & Sidlaw	4
5	Carnoustie & District	3
6	Arbroath West & Letham	4
7	Arbroath East & Lunan	4
8	Montrose & District	4

The new wards are designed around the seven burghs of Angus, which is consistent with the Commission's general approach to the review of boundaries and uses the concept of "community focus".

**3 IMPLICATIONS OF NEW BOUNDARIES**

The current boundaries of community councils cut across the boundaries of the new wards, and, in some cases, a number of ward boundaries. For example, Aberlemno Community Council cuts across 4 ward boundaries (see Appendix A). There are also concerns that the new arrangements have diminished the link which previously existed between a community council and an individual elected member, given that there are now 3 or 4 elected members in a ward. Also, in the Aberlemno Community Council example, this would mean that potentially 15 elected members could attend the community council meetings.

Elected members for each ward are encouraged to attend the meetings of the community councils within their ward area. However, given other commitments as elected members, it may well be difficult for elected members to attend all community council meetings on a regular basis, as there are now a number of community councils within each ward area. The majority of wards incorporate at least five community councils. For example, the Monifieth & Sidlaw ward incorporates 9 community councils (see Appendix A).

#### 4 PROPOSED ARRANGEMENTS

Section 53 (1) of the Local Government (Scotland) Act 1973 states that "Having regard to changing circumstances and to any representations made to them, every local authority shall from time to time review schemes ....". In light of the issues set out above, it is considered that it would be appropriate to undertake a review of the Scheme for Establishment of Community Councils to consider the amendment of community council boundaries, which form the First Schedule of the Scheme, so as to reflect, so far as possible, the new Angus Council ward boundaries.

Although the priority is to review the community council boundaries, it is recognised that it is also time to look at the whole Scheme given the last review was completed in 2000.

However, it should be noted that a review of Community Councils is currently being carried out by the Scottish Executive and the national report is not expected until approximately April 2008. That said, if the results of the review are available during the review of the Angus Scheme, the outcome will be taken into consideration as part of this process.

Furthermore, with effect from 23 July 2007, work relating to community council policy within the Scottish Executive was re-assigned, and now sits with community planning and related work. The name of the Team is yet to be finalised, however, it will be part of the Public Service Delivery Division, which is part of the Public Service Reform Directorate. These changes have taken place following the recent election and subsequent restructuring of Ministerial portfolios with this area of work lying within the Ministerial portfolio of the Cabinet Secretary for Finance and Sustainable Growth, John Swinney MSP.

Community council elections were held in October 2006 and are normally held every three years. However, it is proposed, that following approval of the revised Scheme, that elections be held in respect of the revised community council areas as soon as possible thereafter. A specific date for this cannot be given at this stage as it is dependant on when the Scheme is finalised, although this is anticipated to be September 2008.

In light of the above, it is intended to hold a special meeting with community councils to discuss the proposals for the review of the Scheme.

Thereafter, if there is general acceptance that amendment would be appropriate, it would be necessary for the Council to enter into the formal procedures for reviewing the Scheme for Establishment of Community Councils in accordance with Section 53 (1) of the Local Government (Scotland) Act 1973.

This would also include a wide consultation exercise so that as many residents of Angus as possible are given the opportunity to participate and let their views be known.

As part of the process of consultation, it is proposed to establish a joint working group of elected members from the Council, community councils and officials to consider improvements to the Scheme for Establishment of Community Councils. As part of this arrangement it is also proposed that the elected members on the working group, comprising of three representatives from the administration group and two from the opposition, will act as a sounding board for proposals to be considered by community councils.

An outline timetable for these proposals is contained in Appendix B of this report.

## **5 FINANCIAL IMPLICATIONS**

The costs of advertising the revised Scheme proposals during 2007/08 can be contained within the existing budget. Further costs of consultation and advertisement, together with the costs for administering the elections on behalf of community councils, as a consequence of the review of the Scheme, will be considered as part of the Council's annual budget review process for 2008/09. Although specific costs are impossible to predict because they are dependant on the number of elections which need to take place, it is estimated that these costs may be of the order of £15,000.

## **6 HUMAN RIGHTS IMPLICATIONS**

There are no human rights implications arising from this report.

## **7 CONSULTATION**

The Director of Corporate Services, Head of Law & Administration and Head of Finance have been consulted in the preparation of this report.

**David S Sawers**  
**Chief Executive**

WDS/CP

Note: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this paper.

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<b>Ward &amp; Elected Members</b>	<b>Local Area Partnership</b>	<b>Community Council</b>
<p>1 <b>Kirriemuir &amp; Dean</b>  Alison Andrews (LIB)  Iain Gaul (SNP)  Ian Mackintosh (CON)</p>	<p>Kirriemuir &amp; The Glens  Forfar &amp; Area</p>	<p>Kirriemuir  Kirriemuir Landward East  Kirriemuir Landward West  Newtyle &amp; Eassie  Glamis  Inverarity  Forfar  Tealing  Murroes &amp; Wellbank</p>
<p>2 <b>Brechin &amp; Edzell</b>  Bob Myles (IND)  Mairi Evans (SNP)  Ruth Leslie-Melville (IND)</p>	<p>City of Brechin &amp; Area  Kirriemuir &amp; The Glens  Montrose &amp; Area</p>	<p>Aberlemno  Brechin  Ferryden  Friockheim  Hillside, Dun &amp; Logie Pert  Inveresk  Kirriemuir Landward East</p>
<p>3 <b>Forfar &amp; District</b>  Colin Brown (IND)  Glennis Middleton (SNP)  John Rymer (CON)  William Middleton (SNP)</p>	<p>Forfar &amp; Area  City of Brechin  Kirriemuir &amp; The Glens</p>	<p>Forfar  Lunanhead  Letham  Aberlemno  Kirriemuir Landward East  Glamis  Inverarity</p>
<p>4 <b>Monifieth &amp; Sidlaw</b>  Frank Ellis (SNP)  John Whyte (CON)  Margaret Thomson (LAB)  Rob Murray (SNP)</p>	<p>Monifieth Area</p>	<p>Auchterhouse  Carnoustie  Fowlis, Liff &amp; Balruddery  Lundie, Muirhead &amp; Birkhill  Monifieth  Monikie &amp; Newbigging  Murroes &amp; Wellbank  Strathmartine  Tealing</p>
<p>5 <b>Carnoustie &amp; District</b>  Helen Oswald (SNP)  Peter Murphy (LAB)  Ralph Palmer (SNP)</p>	<p>Carnoustie  Monifieth Area</p>	<p>Carnoustie  Monikie &amp; Newbigging  Murroes &amp; Wellbank</p>
<p>6 <b>Arbroath West &amp; Letham</b>  Alex King (SNP)  David Fairweather (IND)  David Lumgair (CON)  Peter Nield (LIB)</p>	<p>Arbroath &amp; Area  Forfar &amp; Area  Carnoustie</p>	<p>Arbroath  Aberlemno  Carnoustie  Forfar  Friockheim  Letham  Inverarity  Monikie &amp; Newbigging</p>
<p>7 <b>Arbroath East &amp; Lunan</b>  Donald Morrison (SNP)  Jim Millar (CON)  Robert Spink (IND)  Sheena Welsh (SNP)</p>	<p>Arbroath &amp; Area  Montrose &amp; Area  Forfar &amp; Area</p>	<p>Arbroath  Aberlemno  Friockheim  Ferryden &amp; Craig  Letham</p>
<p>8 <b>Montrose &amp; District</b>  David May (LIB)  Mark Salmond (IND)  Paul Valentine (SNP)  Sandy West (SNP)</p>	<p>Montrose &amp; Area  Arbroath &amp; Area</p>	<p>Arbroath  Ferryden &amp; Craig  Hillside, Dun &amp; Logie Pert  Montrose</p>

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Process	Timescale	
	Report to committee recommending review of Scheme	11 September 2007
	Meeting with community councillors	By 30 September 2007
<b>Local Government etc (Scotland) Act 1994</b>		
Para a: Give public notice of intention to “revoke the existing scheme and make a new scheme for the establishment of community councils, and any such notice shall invite the public within a period of not less than eight weeks from the date of notice, to make suggestions as to the areas and composition of the community councils”	Notice in local press, etc	Week commencing 15 October 2007
	Consultation period – 8 weeks	To 14 December 2007
Para b: “after considering suggestions made under paragraph a above, the local authority shall prepare and give public notice of a draft scheme” (requirements as to what that should contain). This notice “shall invite the public, within a period of not less than 8 weeks from the date of the notice, to make representations to the local authority as respects the draft scheme”	Prepare draft revised scheme in light of comments received	December 2007 to January 2008
	Draft revised Scheme to committee for approval	5 February 2008
	Notice in local press, etc	Week commencing 11 February 2008
	Consultation period – 8 weeks	8 weeks consultation period (to 11 April 2008)
Para d: “after considering any representations made under paragraph b above, the local authority <b>may</b> , after giving public notice of the amendments to the proposals and a further invitation to make representations, amend the draft scheme to take account of those representations and adopt it”	Redraft scheme and highlight changes	April 2008
	Draft revised Scheme to committee for approval	Early May 2008
	Notice in local press, etc	Mid May 2008
	Consultation period – 8 weeks	To end June
	Final Scheme to Committee for approval	September 2008