

**A special meeting of the Inverclyde Council will be held on Thursday 18 May 2023 at 4.30pm or following conclusion of the preceding special meeting of the Inverclyde Council.**

**Members may attend the meeting in person at Greenock Municipal Buildings or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Wednesday 17 May 2023 how they intend to access the meeting.**

**In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation and as noted above.**

**Please note that this meeting will be live-streamed via YouTube with the exception of any business which is treated as exempt in terms of the Local Government (Scotland) Act 1973 as amended.**

**Further information relating to the recording and live-streaming of meetings can be found at the end of this notice.**

IAIN STRACHAN  
Head of Legal, Democratic, Digital & Customer Services

## **BUSINESS**

**\*\* to follow**

1. <b>Apologies and Declarations of Interest</b>	<b>Page</b>
2. <b>Review of the Scheme for the Establishment of Community Councils in Inverclyde</b> Report by Head of Legal, Democratic, Digital & Customer Services and Corporate Director Education, Communities & Organisational Development <b>(** please note - appendix 3 only is to follow)</b>	
<p>The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.</p> <p>Please note: this meeting may be recorded or live-streamed via You Tube and the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting the Provost/Chair will confirm if all or part of the meeting is being recorded or live-streamed.</p> <p>You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during any recording or live-streaming will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site or You Tube.</p>	

If you are participating in the meeting, you acknowledge that you may be filmed and that any information pertaining to you contained in the recording or live-stream of the meeting will be used for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public.

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Enquiries to – **Diane Sweeney** – Tel 01475 712147

<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>18 May 2023</b>
<b>Report By:</b>	<b>Head of Legal, Democratic, Digital &amp; Customer Services and Corporate Director Education, Communities &amp; Organisational Development</b>	<b>Report No:</b>	<b>LS/051/23</b>
<b>Contact Officer:</b>	<b>Peter MacDonald</b>	<b>Contact No:</b>	<b>01475 712618</b>
<b>Subject:</b>	<b>Review of the Scheme for the Establishment of Community Councils in Inverclyde</b>		

## 1.0 PURPOSE AND SUMMARY

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to advise the Inverclyde Council of the outcome of the first round of consultation in the present review process and other engagement conducted by officers, and to seek a formal resolution to publish a draft Scheme of Establishment of Community Councils in Inverclyde (detailed in Appendix 5, “the Draft Scheme”) for a second round of public consultation.

## 2.0 RECOMMENDATIONS

2.1 It is recommended that the Inverclyde Council, having regard to the outcome of consultation and other engagement conducted to date, all as detailed in the body of this report, resolves that the Draft Scheme should be published for a further period of consultation.

2.2 It is recommended that the Inverclyde Council notes the proposed actions of officers detailed in the body of the report.

**Iain Strachan**  
**Head of Legal, Democratic, Digital & Customer Services**

**Ruth Binks**  
**Corporate Director Education, Communities & Organisational Development**

### 3.0 BACKGROUND AND CONTEXT

3.1 The current Scheme for the Establishment of Community Councils in Inverclyde (the Scheme) was adopted by the Inverclyde Council on 14 April 2011. Officers commenced the current review following the decision of Inverclyde Council at the Special Meeting on 1 December 2022. The review process is informed by the Scottish Government produced Good Practice Guidance available at <https://www.gov.scot/policies/community-empowerment/community-councils/>. As the recommendation sought in this report, namely approval of a draft scheme and consultation on that draft scheme, relates to the review and amendment of the Scheme of Establishment of Community Councils, approval of that recommendation must be by resolution passed by not less than two-thirds of the members voting thereon at a Council meeting specially convened for the purpose.

3.2 A first stage consultation has been carried out seeking comment on the areas and composition of Community Councils in Inverclyde. This was publicised:

- in libraries and the Customer Contact Centre;
- in local newspapers;
- on the Council's website; and
- through the Council's social media channels.

The Community Councils and other community bodies were also directly advised of the consultation, and their responses invited. The consultation was open for comment from 7 December 2022 until the 3 February 2023. As there was a lack of response, this was extended to 28 February 2023, however notwithstanding this extension, no formal responses were received to the consultation. Officers have however carried out further engagement with the Community Councils and other community bodies as detailed below.

3.3 Officers arranged a workshop in November 2022 for the Community Councils, the intention of which was to:

- identify any post lockdown issues or other support issues Community Councils were experiencing;
- seek particular views the Scheme and the need for review; and
- facilitate the sharing of ideas among the Community Councils.

This workshop was welcomed by the Community Councils, and further workshops have now been held in January, February and March. Details of the outcomes of these workshops are set out in Appendix 1.

3.4 Officers also produced an online survey which was circulated the Community Councils and other community groups, and was also published on the webpage for the Scheme Review. Among other questions, it posed the following:

- "Are there aspects of the current composition (the makeup of members, number of members) of the Community Councils under the Scheme that require changes, for example, number of members, who can join, rules around co-opted members, associated members etc?"
- "Are there aspects of the Community Council Areas (boundaries) that you believe should be reviewed?"

A summary of the response to this survey is also included in Appendix 1.

3.5 As stated above, the current Scheme has been in place since 2011. It provides for 11 Community Council areas, however in the period it has been in force:

- the highest number of Community Councils established at any point was 9, and the lowest 6;
- for most of that period, the level of established Community Councils has been 7; and



- currently there is very little activity in the Community Councils in Port Glasgow East, and Greenock East and Central which are the localities with some of the greatest inequalities.

## 4.0 PROPOSALS

4.1 Whilst this report relates to the review of the Scheme, officers are also alert to the broader questions of support for the Community Councils, and the aspiration to stimulate interest in areas where Community Councils are not currently established. The officer approach to this process is therefore twofold, namely a wish to identify:

- matters identified as necessary or desirable changes to the Scheme; and
- issues, support needs or other barriers to Community Council activity identified that are not directly related to the Scheme.

Whilst the strictly speaking only the former is relevant to the formal review of the Scheme, Elected Members should be assured that both are receiving officer attention.

4.2 Any proposed changes to the Scheme can be divided into two categories, namely:

- changes to the terms of the Scheme itself; and
- changes to the Community Council areas set out in the Scheme.

The consultation and other engagement to date impact on both themes.

4.3 On the terms of the Scheme, officers brought a series of proposed changes to the January workshop for discussion. These were informed by, among other things, the consultation and engagement feedback received and experience of operation of the current Scheme. The changes were fully supported by those attending the workshop. The changes discussed are set out in the material changes table in Appendix 2 and have and have been incorporated in the Draft Scheme set out in Appendix 5.

4.4 The question of Community Council Areas is anticipated by officers to be more challenging. The feedback to date has been for the most part in favour of the retention of existing boundaries. It should be noted that the majority of this feedback is from existing Community Councils, and the review also needs consider the needs of the communities at large. However, given the feedback received officers and Elected Members need to be aware that any proposal to change boundaries risks alienating that existing membership.

4.5 The position on the numbers of Community Council areas that have had established Community Councils in the period of the current Scheme has been referred earlier in the report. Notwithstanding any desire expressed in the feedback that the current areas be retained, it is the view of officers that the history of areas without established Community Councils evidences the need to change those areas.

4.6 Aligning the Community Council areas with other locality-based community groups and locality plans will collocate community-based actions, enhance communication and encourage new community members to become involved in local democratic decision making. The smaller number of Community Councils covering larger areas will be more inclusive and is reflective of the challenges involved in engaging local people participating in community groups and Community Councils.

4.7 Taking account of, amongst other things, the established towns and villages in the area and the populations of each, the officer proposal for Community Council areas is therefore as follows:

- retain two rural Community Councils, one covering both Inverkip and Wemyss Bay and one covering both Kilmacolm and Quarriers Village;

- merge existing Community Council areas to have one for Gourock and one for Port Glasgow (see further point below re Kingston Dock);
- the population of Greenock is such that one Greenock Community Council would be too large, and so is proposed to subdivide the area; and
- the Kingston Dock development straddles Greenock and Port Glasgow, and it is proposed to include the whole area in Community Council for Port Glasgow.

It should also be noted that:

- it is proposed to change the name of Kilmacolm Community Council to reference Quarriers Village (Kilmacolm and Quarriers Village Community Council); and
- the current vacant Spango Valley site will become part of Greenock South West area.

4.8 Officers therefore propose a reduction in the number of Community Council areas to 8. The Draft Scheme in Appendix 5 incorporates a map showing :

- the proposed Community Council Areas;
- the proposed names for those areas; and
- the populations of those areas.

The population figures are based on mid-2021 Small Area Population Estimates for 2011 Data Zones. For ease of reference further maps are attached at Appendix 3 showing the individual areas and at Appendix 4 showing a comparison of the proposed community council areas with i) the existing areas and ii) Council wards.

4.9 The proposed minimum and maximum numbers of Community Councillors in these areas is also set out in Appendix III of the Draft Scheme. The minimum number of members for any Community Council under the current Scheme is 5 across the board. Although a reduction in the number of areas would result in the average population of areas increasing, officers propose to retain this minimum level of 5 as an increase could be an obstacle to establishment of Community Councils.

4.10 The maximum number of Community Councillors for an area has historically been set by the formula 6 plus 1 per every two thousand of population. As there has not been a history of oversubscription to Community Councils it is not proposed to revisit this formula, and the maximum levels proposed in the Draft Scheme have been calculated on a similar basis.

4.11 The risk of changes to Community Council areas alienating the existing membership of Community Councils has been discussed above. Officers intend to mitigate this risk by continuing to build relationships with the chairs of each of the Community Councils as part of the new Association of Community Councils and the implementation of the action plan. Furthermore, approval of the recommendations in this report will result in a further public consultation, and existing Community Council members will have the opportunity to express their views both in terms of that consultation and the ongoing workshops.

4.12 If the recommendations in this report are approved by the Council, officers will then publish same seeking comment in a further 8 week public consultation. A report will then be brought to a future meeting of the Council which will:

- set out the outcome of and responses to that consultation;
- propose any appropriate resultant changes to the Draft Scheme resulting from that; and
- seek approval of a finalised scheme, which will then be subject to a third period of public consultation, in this case 4 weeks.

4.13 Officers will continue to work with the Association of Community Council to assist with the implementation of the action plan, developing training, supporting with communications, co-ordinating public meetings and linking with the locality plans. The Association of Community Councils have asked for support with hosting Community Council meetings and to provide guidance and learning to collect, record and report information from the community that will

reflect the demographics of the wider community. This is all included as part of the Association action plan.

4.14 Pending the outcome of the change in boundaries and the anticipation that the majority of members will remain part of the Community Council association, officer will continue to host workshops on a monthly basis.

## 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial			X
Legal/Risk	X		
Human Resources			X
Strategic (LOIP/Corporate Plan)	X		
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

### 5.2 Finance

Any costs arising from the recommendations in this report will be contained within existing budgets.

### 5.3 Legal/Risk

In terms of Section 53 of the Local Government (Scotland) Act 1973:

- the Council is from time to time required to review the Scheme;
- a decision to review the Scheme must be by resolution passed by not less than two-thirds of the members voting thereon at a Council meeting specially convened for the purpose;
- should the Council in due course consider the Scheme needs amended, it must give public notice of its proposals, inviting any community council concerned and the public to make representations on same; and
- in reaching a decision on any amendment to the Scheme, the Council must consider the terms of any such representations received.

### 5.4 Human Resources

None

### 5.5 Strategic

The Inverclyde Local Improvement Outcome Plan encompasses the Community Empowerment (Scotland) Act 2015 and the Inverclyde Community Learning and Development 3 year plan has Community Empowerment as a key strategic priority. Supporting and engaging community councils is key to achieving this priority. The Community Empowerment (Scotland) Act 2015 gave rights to community bodies and duties to public sector authorities, and as the most local tier of statutory representation in Scotland, Community Councils bridge the gap between local

authorities and communities and help to make those authorities aware of the opinions and needs of the communities they represent.

## **6.0 CONSULTATION**

6.1 The CMT has been consulted on the terms of this report, and the Community Council Champion has been involved in the engagement around and discussion of the Scheme changes proposed in this report.

## **7.0 BACKGROUND PAPERS**

7.1 None

## Appendix 1 - Summary of Engagement Feedback

### 1. Workshops

16 November 2022

**Present:** Representatives from Gourrock Community Council (2), Greenock South West Community Council (1), Greenock West and Cardwell Bay Community Council (2), Inverkip and Wemyss Bay Community Council (1), Port Glasgow West Community Council (1), and ICARG (1), and Calum McLellan CLD, Louise McVey CLD, Councillor Cassidy, Peter MacDonald Legal.

Agenda Item	Actions
<b>1</b> Introductions	
Louise introduced the plan for the workshop/meeting and asked all attendees to introduce themselves	
<b>2</b> Legal Process: Peter MacDonald	
<p>Peter provided an overview of the legal requirements and process for the Scheme review, covering the different stages along with a proposed timeframe to start stage one.</p> <p>The process received positive feedback the attendees would like to be involved in helping to shape the review process and encourage engagement.</p> <p>Examples Scheme reviews from neighbouring Local authorities were provided for further reading and feedback</p>	Calum to email on the example schemes
<b>3</b> What is working well?	
It was clear from the feedback that the CC's are passionate about supporting their local community and keen to share their skills and knowledge.	
<b>4</b> What could be improved	
There was a common consensus that community engagement can be improved to help improve community members understanding of who the CC's are and what they do. This was also reinforced by the officer's present and publicity support will be required especially with the pending CC election	
<b>5</b> Initial discussion with regards to areas of review	
<p>It was highlighted that the challenge is going to be encouraging community members who are not part of a CC to engage in the process.</p> <p>The negative impact of the previous changes to boundaries was highlighted and that it is not as straightforward as drawing a map on a line or by postcode, a Port Glasgow West representative used</p>	

	the example of Kingston Dock that has 2 different postcodes	
6	A.O.B	
	Throughout the evening the old CC forum was mentioned, Councillor Cassidy highlighted that during the pandemic work began looking at forming an association of CC's and a draft constitution was created. There was a real appetite from the attendees for this to be looked at again and agreed consensus that events like this meeting are important to share practice and skills.	Calum to find the most recent draft constitution and add this to the agenda for the next meeting
7	Date of next meeting	
	15 <sup>th</sup> January 2023 @ James Watt Buildings 6.30pm	

18 January 2023

**Present:** Representatives from Gourrock Community Council (1), Larkfield, Braeside and Branchton Community Council (1) and Port Glasgow West Community Council (2), and Calum McLellan CLD, Louise McVey CLD, Councillor Cassidy, Peter MacDonald Legal and.

**Apologies:** Greenock West and Cardwell Bay Community Council (2)

Agenda Item		Actions
1	Introductions	
2	Timeframe and update on current review	
	<p>The group also agreed to raise awareness of the current consultation through verbal and face to face discussion if we emailed groups and local organisations the direct link</p> <p>We also agreed to send the link to all the community council Chairs/groups and parent council/partnerships.</p> <p>The Port Glasgow West CC representative asked for Paper Copies</p>	<p>Calum to send link to survey</p> <p>Calum to send out email</p> <p>Calum to email CC's to see how many paper copies are needed</p>
4	Discussion around the Scheme	
	<p>Peter led the discussion by distributing and talking through a list of proposed changes.</p> <p>The proposed changes were supported.</p> <p>Conversation also included the role of digital meetings and it was highlighted that training for CC's would be ideal with regards to hosting a meeting</p> <p>Peter highlighted that the information within the guidance documents to support aspects of the Scheme can be changed, outwith the formal Scheme review</p>	<p>Calum the table email to all CC's</p> <p>Calum to look at training</p>

5	Association of Community Councils	
	The draft constitution was shared and it was discussed if the Association has to be constituted, or could it be an formal network. It was agreed that this should be a separate meeting	Calum to arrange a separate meeting to help move forward the association
6	Funding	
	Peter went over the timeframe to access funding	
7	Date of next meeting	
	The Community Council's will support the next workshop scheduled for 15 February. This will be a one agenda discussion on Community Council boundaries. Maps with each of the Community Council current boundaries will be sent out prior to the workshop to help the association to prepare, plan and discuss within their community council area before making informed recommendations. The CC's will also supply contact details for other groups and members who should be invited to attend this workshop	Calum to arrange maps to be printed  CC's to send a list to Calum of other groups that have to be invited

15 February 2023

**Attendance:** Representatives from Gourock Community Council (1), Greenock South West Community Council (1), Greenock West and Cardwell Bay Community Council (1), Inverkip and Wemyss Bay Community Council (3), Kilmacolm Community Council (1), Larkfield, Braeside and Branchton Community Council (3), Port Glasgow West Community Council (2), and , 2 other Community members, a member of staff from Oak Tree Housing, Councillor Paul Cassidy, Calum McLellan CLD, Louise McVey CLD, Nicole Bradley CLD Patricia Urquhart CLD, Hugh Scott, CLD

After discussion within the groups, feedback on the recommendations included the following:

### **1. Training and Development**

It was agreed that there should be support and training for Community Councils. The training should include information and support on the role and remit of Community Councils, the expectations, and strengths of being part of a community council. The training will should also include upskilling residents with knowledge but also with practical support. The group advised that the perception of community councils from local people is often negative, people think the members are council workers delivering in the community rather than residents. The group recommends training and communication to shift this perspective. The groups discussed training could be available online and in person or within a group situation.

### **2. Association of Community Councils**

The members recommended that Community Councils would benefit from peer support and would like to develop a community council association. The association would be an informal gathering of community council members to share good practice and skills, discuss actions to encourage engagement and participation of the wider community in the formal legal community council.

Transparency, communication and working together is key – people need to know they are being listened to and action is being taken, working together for the wider community and taking collaborative approach to tackle issues such as transport and NHS services.

The group advised that the association would work together to encourage other people to become involved in their community and improve communication around the benefits of being a community council member.

The group recommended that association of community councils would coproduce an action plan that would promote, raise awareness of Community councils, and increase the number of people involved across the boundary areas. This action plan would also include improved communication within and across community council areas, presentations and increased social media and issue-based discussions to local groups and organisations, including schools and colleges to encourage young people to become engaged in community councils.

### **3. Boundary Mapping**

Recommendation that all 11 Community Council areas should remain the same with some tweaking around the boundary areas. They advised that if areas are amalgamated, they could become too big to take forward community-based issues and will not be representative of local people.

The Community Council representatives also suggested that communities council should include the whole community areas and not split up the community because of postcode restrictions.

The boundary areas the Community Council recommended.

- Larkfield Branchton and Braeside should remain a community council however, the boundary line should include Drumillian Hill and Crisswell Farm. This may include the future Spango Valley development.
- Wemyss Bay and Inverkip Community Council advised that the Spango Valley development should remain within their community council boundary area. This will require further discussion.

Port Glasgow West Community Council recommended the following boundaries for the two Port Glasgow Community Council areas.

- Ferguson's Shipyard and Newark Castle, Mackie Avenue – Poplar Street, Broadstone Avenue – East Street, Farquhar Road – Mitchell Street, Lilybank Road – 'Y junction' with Thomas Muir Street going down Shankland Road (all houses on the right), down to Bogston railway station. Across the public foot bridge onto the A8. The straight across to the 'Y junction' at Scott Way and Port Glasgow Road. Then following a straight line, down to the waters edge. This place the boundary around Kingston Dock houses.

Port Glasgow East Community Council would include;

- The Eastern wall of Newark Castle and its car park, into Kelburn Park.

Kilmacolm and Quarriers Village Community Council highlighted the challenges to engage communities living in Quarriers Village. There have been a few opportunities to financially support Quarriers Village community which has had positive results. Kilmacolm Community Council will continue to work across the community council area to encourage participation from all residents.



15 March 2023

**Attendance:** Representatives from Gourock Community Council (1), Greenock South West Community Council (1), Greenock West and Cardwell Bay Community Council (1), Inverkip and Wemyss Bay Community Council (2), Kilmacolm Community Council (1) Port Glasgow West Community Council (1), members of the community (2), a member of staff from Oak Tree Housing, Councillor Paul Cassidy, Calum McLellan CLD, Louise McVey CLD, Nicole Bradley CLD, Moira PGWCC

Aim of the meeting

This session is designed to: Discuss with the attendees what training is needed for new Community Councillors and opportunities to promote CC's

Discussions focused on:

- Training for new Community Councillors;
- Training for existing Community Councillors;
- Defining the role of Community Councils;
- Opportunities to link in with existing networks and groups; and
- Development of the action plan

Based on the feedback captured during this meeting the following draft action plan has been created.

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**Inverclyde Association of Community Council will work together to encourage other people to become involved in their community and improve training for new and existing Community councilor’s. We will increase communication around the benefits of community councils therefore increasing the number of active Community Councils in the area by**

What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
<p><b>Aim 1 We will have an increase in the number of members of the Community Councils who are trained, skilled and knowledgeable to be actively representing local people across Inverclyde by March 2024.</b></p>					
<p><b>1. Support each other to upskill our knowledge, responsibility and understanding of the role and remit of community councils.</b></p>	<p><b>1.1</b> Review current legislation to draw out the key remit of CC</p> <p><b>1.2</b> Create and agree on a description/summary/vision that captures the role of CC’s</p>	<p>There will be an agreed consensus of the role and remit of CC’s this will be reflected via publicity and future documentation</p> <p>A collective description/summary/vision that captures the role of CC’s will be created</p>	<p>CLD staff and A.C.C</p> <p>A.C.C</p>	<p>Aug 23</p> <p>Aug 23</p>	

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What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
	<p><b>1.3</b> Design a CC induction pack the covers the role and remit, this will be in response training needs analysis</p> <p><b>1.4</b> Arrange a meeting with elected members to agree on roles and responsibilities</p>	<p>An induction pack will be produced that covers role and remit of CC's along with pathways for training</p> <p>Clear roles and responsibilities will be established</p>	<p>CLD staff and A.C.C</p> <p>CLD and A.C.C</p>	<p>Nov 23</p> <p>TBC (after the next election)</p>	
<b>2. Promote and raise awareness of Community Councils as organisations who will ascertain and express the views of the community to local authorities and other public bodies.</b>	<p><b>2.1</b> Using the information created for 1.2, develop and agree on the key selling point/message</p> <p><b>2.2</b> Agree on types of publicity, presentation, flyers, digital media ( video) and case studies</p>	<p>A clear, concise selling point will be created in plain English</p> <p>Generic publicity will be created that can also be amended for each CC</p>	<p>CLD staff and A.C.C</p> <p>A.C.C</p>	<p>Aug 23</p> <p>Aug 23</p>	

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What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
	2.3 Link in with Corporate Communications to agree on a publicity and marketing campaign to promote the Role of CC's prior to the next election	Corporate Communications will produce a marketing plan	CLD	Aug 23	
	2.4 Collate a list of organisations/ groups both digital and physical including Housing associations that will be targeted and plan schedule of delivering awareness raising presentations	Contact list will be created along with schedule of presentations	CLD staff and A.C.C	Sep 23	
<b>3. Develop and participate in training for existing and new Council members to ensure consistency across all Community Council areas.</b>	3.1 Create a training needs analysis survey	A survey will be produced to capture current confidence levels scale 1-10 and gaps	CLD staff and A.C.C	June 23	
	3.2 All CC's complete training needs analysis survey	All Community councillors will complete the survey and there will statistical data capturing existing confidence and training opportunities	All Community Councillors	June 23	

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What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
	3.3 Based on the results from the survey map existing training or design new training, ranging from digital/paper-based/face to face	Training will be available in a variety of modes	CLD staff and A.C.C	Sep 23	
	3.4 Based on the survey results and information from 1.3 create an Induction booklet	An induction pack will be produced that covers role and remit of CC's along with pathways for training	CLD staff and A.C.C	Nov 23	
	3.5 Create a training calendar to cover the election term	A training calendar will be accessible	CLD staff and A.C.C	Feb 24	
<b>Aim 2: People living in Inverclyde will have an increased awareness of community councils, how to access them and how to become involved with them by April 2024.</b>					
<b>4. Increase local publicity and communications on social and printed platforms to increase awareness of Community Councils.</b>	4.1 Upskill existing CC's on use of Social media	CC's will undertake Digital skills training	CLD	Sep 23	
	4.2 Develop a CC communication plan including social and printed platforms using the created contact list	Communication list will be developed	CLD staff and A.C.C	Sep 23	
	4.3 Have a regular section within the housing associations newsletters and other Community newsletters	Regular CC slots in the Housing associations newsletter and other Community Newsletters	A.C.C	Oct 23	

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What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
<b>5. Present information both face to face and digitally to groups and organisations on the achievement of Community Councils.</b>	5.1 Agree on what is success, this could be included in the induction pack and also help with publicity	CC's will have a clear understanding of what success is and be confident in promoting this	CLD staff and A.C.C	Seo 23	
	5.2 CC to undertake Digital skills training regarding Social media	CC will feel more confident engaging digitally this will be captured via regular reflection.	CC's	ongoing	
	5.3 CC undertake training support publicity	CC will feel more confident engaging with their communities will be captured via regular reflection.	CC's	ongoing	
<b>6. Communicate verbally (presentations) and using media to local youth groups, schools and colleges and encourage more young people to become involved in community councils.</b>	6.1 Research how CC's in other Local authorities encourage youth participation	There will be a record of contact made and responses.	CLD and A.C.C	Nov 23	
	6.2 Arrange a meeting with Youth services, to discuss pathways	A pathway will be created for youth engagement	CLD	Dec 23	
	6.3 Arrange a meeting with Parent Councils to agree pathways	A pathway will be created to engage with Parent Councils on a regular basis to create opportunities for joint working.	CC Champion	Dec 23	

**DRAFT**

What do we want to do?	What actions are required	How will we know?	Who is Responsible /Lead	Timescale	Update/Progress
<b>7. Communicate and encourage a range of diverse local people to become involved in the community council including those most marginalised in the community.</b>	<b>7.1</b> CC to be confident in promoting CC's by undertaking relevant training	CC's will feel more confident promoting CC's this will be evidence by formal awareness raising opportunities and training evaluations	CLD and A.C.C	ongoing	
	<b>7.2</b> Reduce barriers to engagement by ensuring publicity exists in a variety of modes	There will be an increase in the number of community members engaging with CC's	CLD and A.C.C	Ongoing	
	<b>7.3</b> Develop good practice guide to community engagement for CC's in line with community engagement standards	This will either be a stand alone pack or embedded in the CC Induction pack. CC's will feel more confident undertaking a variety engagement methods and be able to record and evidence engagement	CLD and A.C.C	Dec 23	



## 2. Feedback from Smart Surveys

Boun

1. Please select the Community Council area that you live in				
Answer Choices			Response Percent	Response Total
1	Gourock Community Council		14.36%	28
2	Greenock South West Community Council		4.62%	9
3	Greenock West and Cardwell Bay Community Council		10.26%	20
4	Inverkip and Wemyss Bay Community Council		13.33%	26
5	Kilmacolm Community Council;		4.62%	9
6	Larkfield, Braeside and Branchton Community Council		12.31%	24
7	Port Glasgow West Community Council		7.69%	15
8	Greenock Central Community Council;		6.15%	12
9	Greenock East Community Council;		7.18%	14
10	Holefarm and Cowdenknowes Community Council; and		1.03%	2
11	Port Glasgow East Community Council.		5.13%	10
12	I don't know		13.33%	26
			answered	195
			skipped	1



### 3. Are there aspects of the Community Council Areas (boundaries) that you believe should be reviewed?



Answer Choices			Response Percent	Response Total
1	Yes		22.75%	43
2	No		77.25%	146
			answered	189
			skipped	7

#### Comments

- I think some community councils serve wider areas than others. I think the boundary should include natural local communities rather than joining several together i.e. Larkfield, Branchton and Braeside are together when each is a very specific community. It would make sense to have one per council ward. It would also make sense for when there isn't one for them to possibly be joined with another (as a last resort i.e. if a community council hasn't been established for 2 consecutive terms).
- Greenock Central is a very large area. Should be broken up. Parts of constituency are in the East end of Greenock and are not Central. East End should be Gibshill, from the boundary at Kingston dock (Greenock side), Sinclair Street/Ladyburn Bridgend, Cartdyke, Strone, Belville St, John Street to Baker Street.
- Areas should have more representatives as this part of Greenock has a high level of poverty so that people's voices can be heard.
- Minimum of:
  - Gibshill/Kingston dock -1 rep
  - Sinclair Street/Ladyburn/Bridgend -1 rep
  - Strone/Leven Road-1 rep
  - Cartdyke/Belville/John Street - 1 rep
  -
- The areas should be aligned with the wards that normal councillors are elected to represent
- Kingston dock area boundaries of greenock port glasgow postcode
- Have less Community Councils with larger areas - doesn't need to be so many
- Look at Specific member who takes opinion across all ward areas with regards popular, contentious, current topics etc. to minimise silo type opinions that can dominate within specific discussion points - examples are cycle paths, leisure and library facility proposed closures. This may help to inform, identify and understand where services are wanted and used and make people feel valued and listened to.
- Could begin by reviewing boundaries, since the CC area I live within is probably the smallest by area in Inverclyde, Holefarm/Cowdenknowes, which was changed for the worse in 2012. Boundaries have not been changed, to my knowledge, since 2012/3.
- The New IBM housing proposals and also the Ravenscraig site
- Don't think any other areas should be merged or added as I think it's better not to make the area covered too big.
- There are too many community councils in Inverclyde. Reducing the number would help ensure the whole of Inverclyde is represented by a community council. For example there should be one community council in Port Glasgow.

- Possibly a separate one for Wemyss Bay and separate one for Inverkip.
- I believe that Wemyss Bay and Inverkip should be separated as both have various requirement
- They should be aligned with electoral ward areas

4. Are there aspects of the current composition (the makeup of members, number of members) of the Community Councils under the Scheme that require changes, for example, number of members, who can join, rules around co-opted members, associated members etc?

Answer Choices			Response Percent	Response Total
1	Yes		22.16%	41
2	No		77.84%	144
			answered	185
			skipped	11

Comments

- I have no idea what these rules are or who sits on community councils
- Needs to be made up of more people who have specific needs such as single parents etc
- I believe that members of the community council should be a cross section of the area that they are representing. Should include from all age groups as this will shape the future of the area. Training provided on the expectations of the post that they are taking up and the philosophy of what is a community council and the boundaries etc.
- There is no need for number of Community Councillors that we have in Inverclyde. There should be a massive reduction in numbers as I do not believe they represent any value for money in what they do.
- It should be only people who live in an area who can be involved in the running and decision making of a community council. The age should be lowered to 16. There should have to be diversity within the community council- not all one age, one family or one gender. The number of members should be able to be 4+
- First, I could not find any details related to co-opted members versus associated members. I believe the minimum number of members should be a fixed number applied to all areas (ie minimum of 5). In the same way as we have minimum age requirement we should have a maximum age required. It is not fair to impose requirements only on the young. The requirement of being registered for voting at the area is not ideal either. Many people are not registered to vote and specially immigrants are unlikely to register ( some may not even qualify to vote).
- Make it easier and less complicated to join.
- Have a quota on how many young people to be involved as it would benefit the local community to get their views. Especially at secondary school at - 16 to 18 years old- as they would be used to help them get involved if it is part of their education.
- It's not clear who are member I would not know maybe make themselves more visible / assessable to people?
- The current set up of CCs does not reflect the set up of communities, how many does Inverclyde have which actually operate. Possible 6 out of 11.

- Any member of the public should be able to stand for election to a community council.
- All community councils should be free of undue pressure by councillors and MSPs and MPs, they need to be about what's best for their community, not seen as a stepping stone for councillors to apply pressure for their own means. They should be treated as important and at least 2 councillors should commit and attend every meeting.
- I can't find any details on this. I can't find when meetings are held, who members are or how to contact my community council. Any social media pages I can find don't seem to have been updated in the last two years. I'm left wondering if there even is a community council for my area. This makes it hard to say whether the current composition needs to change when there is little information on what it is currently.
- Places could be set aside for young people to help make community councils more representative.
- Seems a long winded way to become a member. I've attended meetings since Sept but been told that I can't become a member until an election later in the year

## Appendix 2 - Material Changes proposed in the Draft Scheme

Issue	Proposal
<p>The layout of the Current Scheme follows a 2011 model and would benefit from a degree of re-organisation to improve clarity.</p>	<p>The layout of the Draft Scheme (including the Model Standing Orders and the Model Constitution) has been updated and a defined terms table has been added to improve clarity.</p>
<p>The Current Scheme has no formal complaints mechanism or sanctions.</p> <p>Complaints are not common, but when have come up, both lack of mechanism and lack of sanction highlighted.</p>	<p>The Draft Scheme proposes a complaints and sanctions mechanism whereby: most complaints are considered by community councils themselves; unresolved matters can be escalated to a Conduct Review Panel made up of Elected Members and Community Councillors not connected with that CC/Ward Area; and specific sanctions are set out.</p> <p>The Complaints Procedure is covered in Clause 13 of the Draft Scheme.</p>
<p>The Current Scheme states the Co-option as 1/3 of the number of elected community councillors in some provisions, and 1/4 of the total number in others. Same thing but causes confusion.</p> <p>Community Councils have also indicated that the ¼ of total membership limit can be restrictive and may act as a barrier to attempts to recruit when numbers are low.</p>	<p>The Draft Scheme: is clearer as it expresses the limit consistently as a percentage of the total membership of Elected and Co-opted; and increases that limit to 40%.</p> <p>This means that a Community Council operating at the minimum level of 5 members could, of those 5, have at most 2 Co-opted Members.</p> <p>This is dealt with at Clause 5 of the Draft Scheme.</p>
<p>The Current Scheme is silent on hybrid/virtual meetings. Whilst they are therefore not prohibited, their use could be questioned.</p>	<p>Clause 10 of the Draft Scheme expressly permits virtual and/or hybrid to remove doubt.</p>
<p>With reference to Office Bearers of a Community Council, the Current Scheme: only refers to their appointment at an AGM (issue if vacancy arise); states their term of office as 1 year (may cause confusion if appointed between AGMs OR if more than a year between AGMs); Lacks a mechanism for removal of an office bearer before during their term.</p>	<p>The Draft Scheme: makes clear appointment can be at a meeting other than an AGM; makes clear that the term of office is until the next AGM (they can of course be re-appointed); and includes a mechanism for their removal by a 2/3 majority vote.</p> <p>These provisions appear in Paragraph 9 of the Model Standing Orders (at Appendix I of the Draft Scheme).</p>

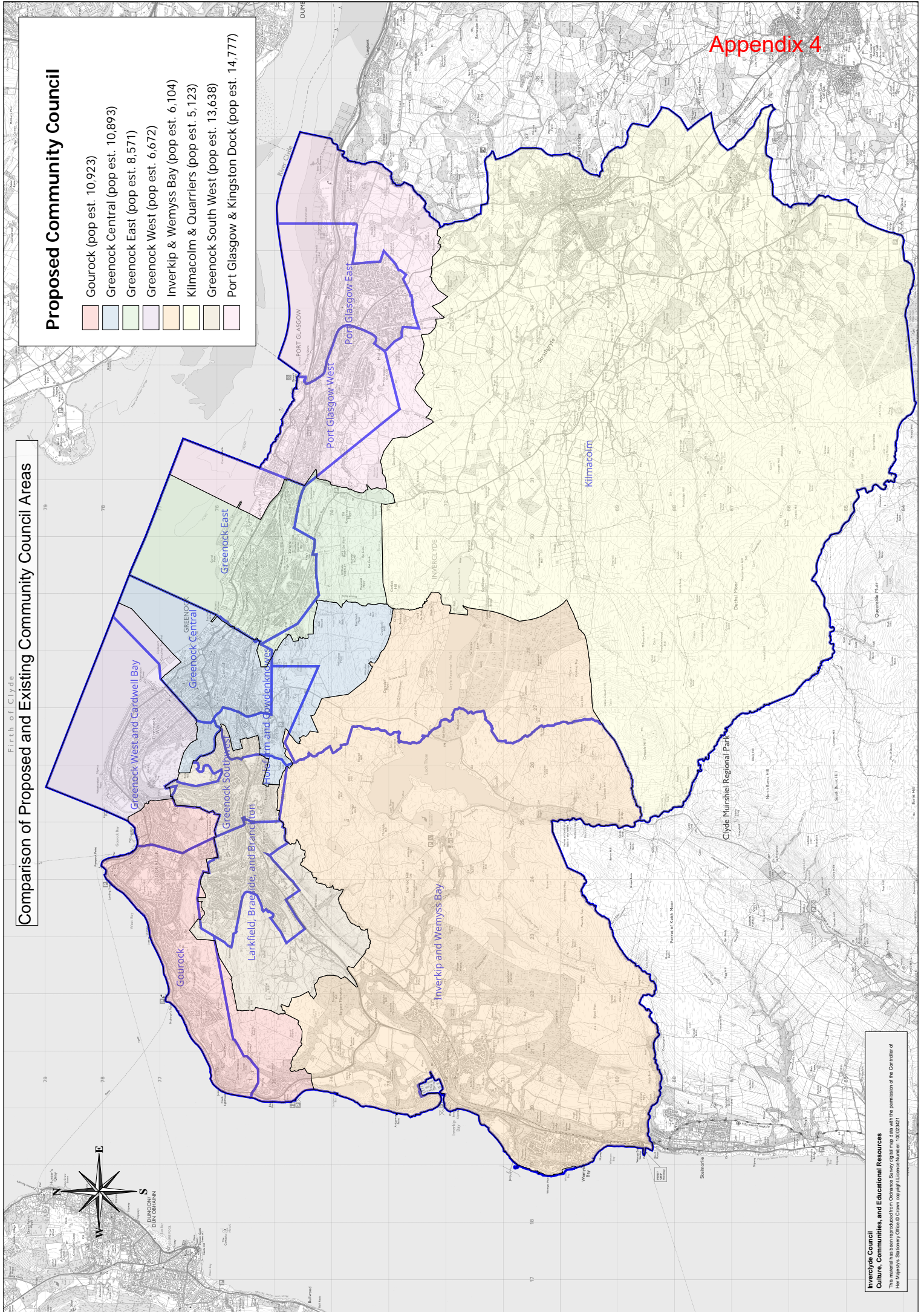
Issue	Proposal
<p>The Current Scheme can cause confusion as it has different “minimums” for membership in different points – sometimes is fixed and sometimes is ½ max; sometimes references members, and sometimes references only elected (i.e. not CoOpted) members.</p>	<p>In interests of clarity and simplicity, the Draft Scheme fixes the minimum as 5 across various provisions, and in most cases include both Co-opted and Elected community councillors in that figure.</p> <p>This is covered in Clause 5 of the Draft Scheme.</p>
<p>The Current Scheme requires a Community Council to formally adopt Standing Orders and Constitution in terms of the models provided, with any changes requiring prior Council approval.</p> <p>As such variation is unusual it is thought a requirement for active adoption is unnecessary.</p>	<p>The Draft Scheme provides at Clause 3 that each Community Council shall automatically have a Constitution and Standing Orders in the terms of the models at Appendixes I and II.</p> <p>Provision is retained for variation of the Constitution (at Clause 16 thereof) or the Standing Orders (at Clause 7 thereof) should a Community Council consider that appropriate and such variation be approved by the Council</p>
<p>It is good practice not to have 2 connected parties (e.g. related, in same household, business partners) as signatories on a Community Council bank account. This is as much to avoid any allegation of impropriety, as any concern such a position could be abused. It also may not be possible in terms of individual bank requirements.</p> <p>The Current Scheme is silent on this.</p>	<p>The Draft Scheme adds provision to this effect at Clause 14 of the Model Constitution.</p>
<p>In the Current Scheme, Clause 11 of the Model Constitution provides special meetings must take place within 14 days of receipt of request, but still need at least 10 days notice. That is considered a tight turn around.</p>	<p>The Drafts Scheme extending period to hold meeting to not less 21 days from request (Clause 11 of the Model Constitution and Clause 1 of the Model Standing Orders).</p> <p>Meetings can of course still hold quicker than that, subject to the not less than 10 day’s notice requirement.</p>
<p>The Current Scheme provides for dissolution of a community council if it has not met for, or has below minimum membership for, 3 regular meeting dates.</p> <p>Such provision is not workable if these dates cannot be identified or have not been agreed.</p>	<p>The Drafts Scheme simplifies this at Clause 15 but referencing a 4 month period.</p> <p>Most Community Council meet monthly, however 4 months has been chosen to account for periods when there is a month without meetings, e.g. at Christmas or over summer period.</p>

<b>Issue</b>	<b>Proposal</b>
<p>Question has arisen in past as to whether can nominate more than once for an election. Scheme silent, but good practice followed, namely can nominate once and second once.</p> <p>The Current Scheme is silent on this.</p>	<p>The Draft Scheme includes explicit provision at Clause 7 that in an electoral event a person may only nominate once and only second once.</p>
<p>The Current Scheme provides the 1<sup>st</sup> meeting of a Community Council to be within 21 days of an election – this will not always fit in with an existing community council's regular meeting cycle.</p>	<p>The Draft Scheme provides at Clause 10 that this will be within 6 weeks – although in practice likely to be within 1 month.</p>



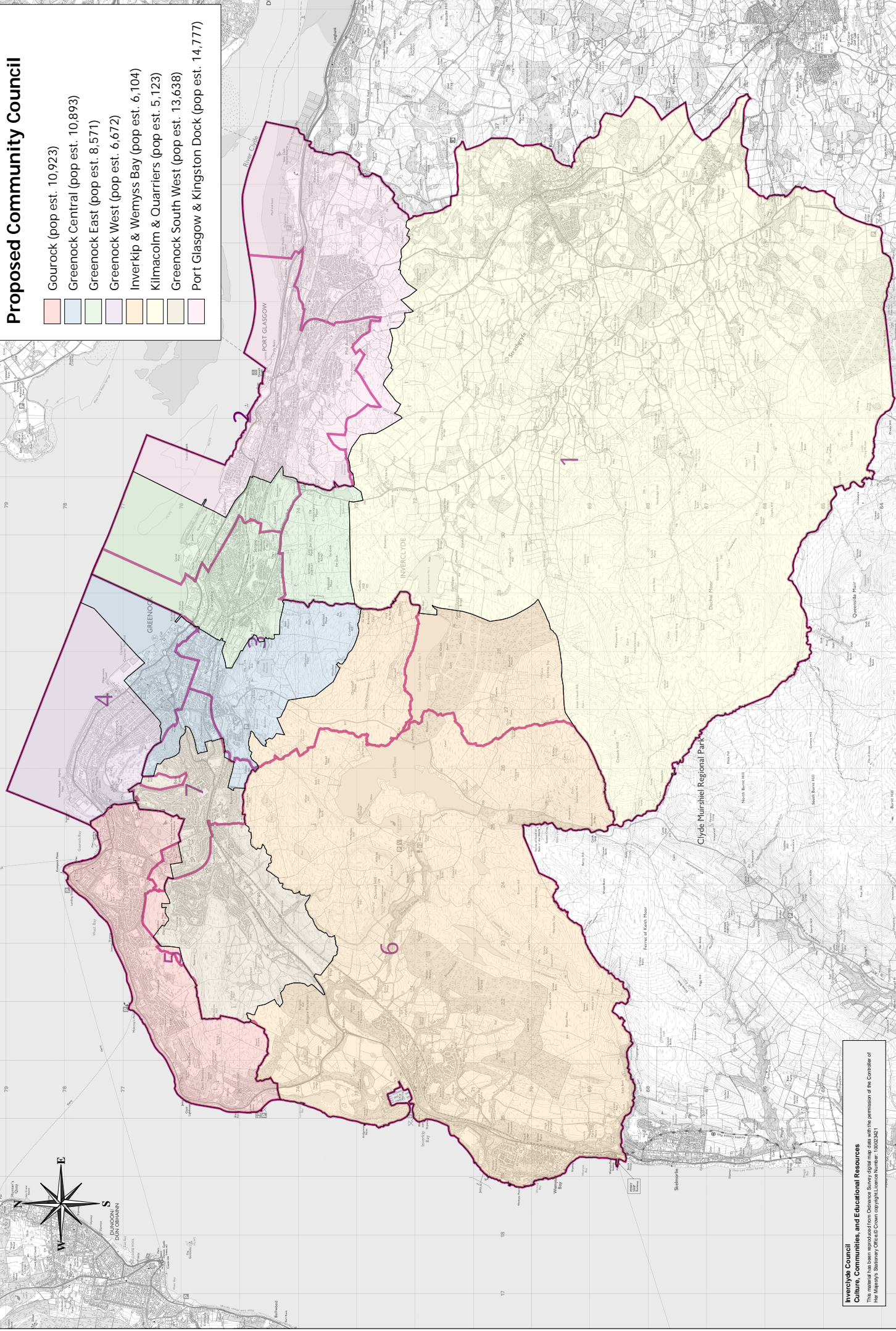
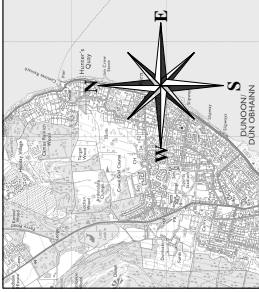
Comparison of Proposed and Existing Community Council Areas

- Proposed Community Council**
- Gourock (pop est. 10,923)
  - Greenock Central (pop est. 10,893)
  - Greenock East (pop est. 8,571)
  - Greenock West (pop est. 6,672)
  - Inverkip & Wemyss Bay (pop est. 6,104)
  - Kilmacollm & Quarriers (pop est. 5,123)
  - Greenock South West (pop est. 13,638)
  - Port Glasgow & Kingston Dock (pop est. 14,777)





# Comparison of Proposed Community Council Areas with Ward Boundaries



## Proposed Community Council

- Gourock (pop est. 10,923)
- Greenock Central (pop est. 10,893)
- Greenock East (pop est. 8,571)
- Greenock West (pop est. 6,672)
- Inverkip & Wemyss Bay (pop est. 6,104)
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- Greenock South West (pop est. 13,638)
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Appendix 5 – Draft Scheme

# **Scheme for the Establishment of Community Councils in Inverclyde**

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## 1. Introduction

Community councils were first established in Scotland following the Local Government (Scotland) Act 1973. This Act provided for the adoption by local authorities of schemes for the establishment of community councils to regulate the operation of Community Councils in their areas, and for the periodic review and amendment of such schemes. It also provides that every local community in Scotland is entitled to petition their local authority to establish a community council in their area.

This **Scheme** is **Inverclyde Council's** scheme which, following such a review, was adopted on the **1<sup>st</sup>**.

In this **Scheme** words and terms shown in **Bold Text** and have particular meanings which are set out in **Appendix V**.

For the avoidance of doubt, in the event of any inconsistency between the **Scheme** and either the **Standing Orders** or the **Constitution** of a **Community Council**, the **Scheme** takes priority.

## 2. Statutory Purposes

The statutory purposes of **Community Councils** are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

*"In addition to any other purpose which a community council may pursue, the general purpose of a community council shall be to ascertain, coordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable"*

## 3. The Role and Responsibilities of Community Councils

The general purpose of **Community Councils** is to act as a voice for the community in their **Community Council Area**. This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their local authority, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, a **Community Council** will have in place, in consultation with and supported by the **Inverclyde Council**, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community. **Community Councils** have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between **Community Councils**, **Inverclyde Council** and other public sector and private agencies.

**Community Councils** may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their **Constitution** and **Standing Orders** and the terms of the **Scheme**.

There should be mutual engagement in the establishment of working relationships with the **Inverclyde Council** and other agencies.

In carrying out their activities **Community Councils**, **Community Councillors** and **Associate Members** must at all times adhere to the law, the terms of this **Scheme** and the **Community Councillors' Code of Conduct**.

Where a **Community Council** is established or re-established after an **Election**, it will have a **Constitution** based upon the **Model Constitution** and **Standing Orders** based upon the **Model Standing Orders** (which should be acknowledged at the first **Meeting** of the **Community Council** held after the **Election**) to encourage and maintain consistency for all community councils and to facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner.

Any changes a **Community Council** decides to make to their **Constitution** or **Standing Orders** will require to be approved by **Inverclyde Council** and will only be effective from the date of that approval.

**Community Councils** have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community. Good Practice Guidance has been produced to help Community Councils to deliver on these responsibilities. In order to fulfil their responsibilities as effective and representative, **Community Councils** shall: -

- Inform the community of the work and decisions of the **Community Council** by posting **Calling Notices**, **Agendas** and **Minutes** in public places, such as libraries and notice boards and, subject to the provisions contained within the UK GDPR and the Data Protection Act 2018, provide contact details of **Community Councillors**.
- Seek to broaden both representation and expertise by promoting the **Associate Membership** of the community council of persons for specific projects/issues.
- Make particular efforts to encourage young people and other under-represented groups to attend/participate in community council meetings and to ensure equality of opportunity in the way the **Community Council** carries out its functions and objectives.
- Comply with the terms of this **Scheme** in general, and in particular:
  - Inform **Inverclyde Council** of changes in membership per **Clause 5** of the **Scheme**;
  - Advise **Community Councillors**, **Additional Members** and **Inverclyde Council** of the dates of **Meetings** and provide copies of **Agendas** and

**Minutes of Meetings** at the appropriate times, per **Clause 10** of the **Scheme**;  
and

- Comply with the requirements of **Clause 12** of the **Scheme** in relation to financial records and **Annual Accounts**.
- Comply with their responsibilities under the UK GDPR and the Data Protection Act 2018.

The **Council** reserves the right to call the **Community Council** to account before a **Conduct Review Panel**, if it considers that a serious breach of this **Scheme** or its accompanying documents has taken place. A **Conduct Review Panel** shall consist of three **Inverclyde Councillors** and two **Community Councillors**. The **Conduct Review Panel** will operate in accordance with the process set out in **Clause 13** of the **Scheme**.

**Inverclyde Councillors** will not sit on a **Conduct Review Panel** considering a matter relating to a **Community Council** which falls within their **Ward**. **Community Councillors** will not sit on a Panel considering a complaint relating to their own **Community Council**.

## 4. Community Council Areas in Inverclyde

**Inverclyde Council** has produced a list of named **Community Councils** at **Appendix III** to the **Scheme**, and a map or maps that define the boundaries of the **Community Council Areas** at **Appendix IV** to the **Scheme**.

## 5. Membership of Community Councils

### Number of Community Councillors

The **Minimum Number** and **Maximum Number** of **Community Councillors** for each **Community Council** is set out in **Appendix III**.

Should circumstances arise that lead to the number of **Community Councillors** on a **Community Council** falling below the **Minimum Number** for that **Community Council**, **Inverclyde Council** shall be informed and may undertake arrangements for an **Interim Election** under **Clause 7** of the **Scheme**.

A **Community Council** cannot have more **Co-Opted Members** than their **Co-Option Limit**.

Should circumstances arise that lead to the number of **Co-Opted Members** on a **Community Council** being above the **Co-Option Limit** for that **Community Council**, **Inverclyde Council** shall be informed and may undertake arrangements for an **Interim Election** under **Clause 7** of the **Scheme**.

There is no limit on the number of **Associate Members** a **Community Council** can appoint.

### Eligibility Requirements

Only those who are:

- 16 years of age or older;
- named on the Electoral Register at an address in the particular **Community Council Area**; and
- **not Inverclyde Councillors** or members of the Scottish or United Kingdom Parliaments,

can become (or remain) **Community Councillors**.

The **Eligibility Requirements** do not apply to **Additional Members** (being **Associate Members** and **Ex-Officio Members**).

### Elected Members

**Elected Members** of a **Community Council** are those elected at an **Election** under Clause 7 below.

**Elected Members** will have full voting rights at **Meetings**.

**Elected Members** will, following their election, serve until the next **Regular Election**.

### Co-Opted Members

A **Community Council** can appoint a **Co-Opted Member**, as long that person to be appointed meets the **Eligibility Requirements**, and that such appointment will not result in the **Community Council** having more **Community Councillors** than their **Maximum Number** or more **Co-Opted Members** than their **Co-Option Limit**.

Notice of a proposed Co-Option must be intimated to all of that **Community Council's Community Councillors** and **Additional Members** least 14 days prior to the **Meeting** at which the matter will be decided.

**Co-Opted Members** can only be appointed by a decision of the **Community Council** at a **Meeting** if voted for by at least two-thirds majority of the **Elected Members** present and voting.

**Co-Opted Members** shall have full voting rights, with the exception that they will not be entitled to vote on a question of Co-Option.

**Co-Opted Members** will serve until first **Election** after their appointment, and will be entitled to seek nomination and election at such **Election** provided they meet the **Eligibility Requirement**.

### Additional Membership

#### Associate Members

**Associate Members** may be appointed by a **Community Council** where there may be a need for individuals with particular skills or knowledge.

**Associate Members** may serve for such period as determined by the **Community Council** or until the **Community Council** ends their appointment.

**Associate Members** may also include representation from other constituted local voluntary organisations.

**Associate Members** shall have no voting rights at **Meetings** of the **Community Council**.

#### Ex-Officio Members

**Inverclyde Councillors**, MPs and MSPs whose wards or constituencies include all or part of a Community Council Area shall be deemed **Ex-Officio Members** of that **Community Council**.

**Ex-Officio** members shall have no voting rights at **Meetings** of the **Community Council**.

#### Changes in Membership

A **Community Council** must advise the **Inverclyde Council** of any changes in its membership whether in relation to **Community Councillors** or **Associate Members**.

## 6. Establishment of Community Councils under the Scheme

**Clause 7** of the **Scheme** deals with **Election** process under which a **Community Council** or **Community Councils** are established, whether at a **Regular Election** or an **Interim Election**.

If at any time:

- there is no established **Community Council** for a **Community Council Area**; and
- not less than 20 electors in that **Community Council Area** apply in writing to **Inverclyde Council** for a **Community Council** to be established for that **Community Council Area**,

then in terms of Section 52 (7) of the Local Government (Scotland) Act 1973, **Inverclyde Council** shall, within not more than six weeks from the date of the application, organise, in accordance with the **Scheme**, **Elections** for the purpose of establishing such a **Community Council**.

## 7. Community Council Elections

### Nominations and Elections

The first **Election** under the **Scheme** shall be held on a date to be determined by **Inverclyde Council** and will be a **Regular Election**.

Subsequent **Regular Elections** will be held on a provisional four-yearly-cycle following that first election, but with final dates to be determined by **Inverclyde Council** (having regard to

all relevant facts and circumstances, including but not limited to the timing of any other electoral events).

**Regular Elections** and will take place across all **Community Council Areas** on or around the same dates.

Additionally, **Inverclyde Council** may in appropriate circumstances be asked or required to hold **Interim Elections** outwith the **Regular Elections** cycle. They will be administered in the same way as **Regular Elections** but will normally only relate to one **Community Council**.

**Inverclyde Council** will administer all **Elections** and the timing, form and process of Elections and related polls and counts will be as determined from time to time by **Inverclyde Council**.

### Returning Officer

**Inverclyde Council** will appoint a **Returning Officer**. The **Returning Officer** must not be a **Community Councillor** or intending to stand for election as a **Community Councillor**.

### Nominations

Individuals seeking nomination for election as a **Community Councillor** must meet the **Eligibility Requirements** set out in **Clause 5** of this **Scheme**, and require to be nominated as a candidate for election by a proposer and seconder, both of whom must be registered on the Electoral Register at an address in the **Community Council Area**.

Those nominating can nominate (but only once) **and** second (but only once) at an **Election**. Self-nomination is not permitted.

Nominations require to be submitted with the candidate's consent.

A completed nomination form, the style of which will be determined by **Inverclyde Council**, will require to be completed, signed by the candidate, the proposer and the seconder, and submitted to the **Returning Officer** by no later than the last date for lodging nominations set down in the election timetable determined by **Inverclyde Council**. No nomination forms submitted after that date will be accepted.

### Process

On the expiry of the period for lodging nominations:

- 1) Should the number of candidates validly nominated for a **Community Council** equal or exceed the **Minimum Number**, but be less than or equal to the **Maximum Number**, the said candidates will be declared to be elected as **Elected Members** of the **Community Council**, the **Community Council** will be declared to be established or re-established, and no poll shall be held.
- 2) Should the number of candidates validly nominated exceed the **Maximum Number** arrangements for a poll shall be implemented. Following the poll (including any



subsequent count), a declaration will be made of those candidates elected as **Elected Members** of the **Community Council** and the **Community Council** declared as established or re-established.

- 3) Should the number of candidates validly nominated be less than the **Minimum Number** the **Community Council** will not be established or re-established at that time, however **Inverclyde Council** may in such circumstances issue a second call for nominations within 6 months of the last date for nominations in the first call.

### Filling of casual places/vacancies between elections

Should a vacancy or vacancies arise on a **Community Council** between **Elections**, the **Community Council** shall take steps to fill such vacancies, which may be either by **Co-Option** complying with **Clause 5** of the **Scheme** or by consulting with **Inverclyde Council** to request an **Interim Election**.

## 8. Equalities

Recognition should be given to the contribution of everyone participating in the work of a **Community Council**. **Community Councils** must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

Consideration must also be given by the **Community Council** as to their meeting place or virtual meeting platform. This must be in terms of accessibility and facilities for disabled users, as well as location, as far as practicable, to ensure that the needs of all **Community Councillors**, **Additional Members**, members of public or others attending are met

## 9. Disqualification of Membership

Where for whatever reason a **Community Councillor's** circumstances change so that they no longer meet the **Eligibility Requirement**, then their membership as a **Community Councillor** will automatically come to an end.

If any **Community Councillor** fails to attend any **Meetings** of their **Community Council**, with or without submitting apologies, throughout a period of 6 months, the **Community Council** may terminate their membership.

At the discretion of individual **Community Councils**, a period of leave of absence for a **Community Councillor** may be granted at any meeting of the **Community Council**.

A **Community Councillor's** membership of a **Community Council** may also be suspended or terminated under **Clause 13** of the **Scheme** in terms of a decision of (i) the **Community Council** or (ii) a **Conduct Review Panel**.

## 10. Meetings

The first **Ordinary Meeting** of a **Community Council** following an **Election** will be called by the **Returning Officer** approved by **Inverclyde Council** and will take place within 6 weeks of the date of the **Election**, or as soon as practicable thereafter. The business of that **Meeting** will include acknowledgement of the **Constitution** and **Standing Orders** in terms

of **Clause 3** of the **Scheme**, appointment of office bearers and any outstanding business matters from the outgoing community council.

The frequency of meetings will be determined by each **Community Council**, subject to a minimum of one **Annual General Meeting** and **6 Ordinary Meetings** being held in each **Community Council Year**. The **Annual General Meeting** shall be held in a month of each year to be determined by the **Community Council** in consultation with **Inverclyde Council**.

It shall be a matter in the discretion of the **Community Council** as to whether **Meetings** be held in person, using online video conferencing or meetings systems, or a hybrid of both, subject to the requirement in the following paragraph on public access.

A **Community Council** can meet to discuss items of business in private where it considers it appropriate to do so. The decision to meet in private must be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way, which notice will indicate that the meeting, or a part thereof, shall be held in private, and provide the reason why it is to be held in private. Subject to the foregoing exception, all **Meetings** must (whether in person or online) be accessible to members of the public.

If a **Community Council** receives a written request signed by at least 20 persons resident within the **Community Council Area** to convene a meeting for a particular matter or matters to be debated, it shall call such a meeting to be held within 21 days of receipt of such a request, which shall known as a **Special Meeting**.

Not less than 10 days before the date of a **Meeting**, circulate a **Calling Notice** and **Agenda** to **Community Councillors**, **Additional Members** and **Inverclyde Council**.

A **Calling Notice** will specify the date, time and place (in this context, place can include details of how to connect to an online meeting) of the **Meeting**.

An **Agenda** will specify the items of business to be discussed at the **Meeting**. No item of business may be discussed at a **Meeting** if it was not included on the **Agenda** unless such discussion is agreed to by a majority of the **Community Councillors** present and voting at that **Meeting**.

**Community Councils** shall publish **Calling Notices**, **Agendas** in advance of **Meetings** and in public places, such as libraries and notice boards and online, and will make **Calling Notices**, **Agendas** and **Minutes** available to any party on request.

Not later than 14 days after the date of a **Meeting**, circulate draft minutes of the **Meeting** to **Inverclyde Council**, **Community Councillors**, **Additional Members** and other interested parties.

The quorum at a **Meeting** of a **Community Council** shall be the greater of:

- one third of its current number of **Community Councillors**; or
- 3 of its **Community Councillors**.

An outline for the content of business that **Community Councils** should adhere to when holding **Meetings** is contained within the **Model Standing Orders**.

**Inverclyde Council** has the discretion to call a **Meeting** of a **Community Council**, and shall in such circumstances be responsible for the preparation, issue and publication of a **Calling Notice** and **Agenda**.

## 11. Liaison with Inverclyde Council

In order to facilitate the effective functioning of **Community Councils**, **Inverclyde Council** has identified an official to act as a **Liaison Officer** with **Community Councils**. Unless there is a specific agreement or an issue is a specific departmental issue, all correspondence between **Inverclyde Council** and the **Community Councils** should, in the first instance, be directed through that official.

**Community Councils** shall provide copies of their **Agendas** and **Minutes** within timescales set out in the **Scheme** to the **Inverclyde Council** via the **Liaison Officer**.

**Community Councils** may make representations to **Inverclyde Council** and other public and private agencies, on matters for which it is or they are responsible and which it considers to be of local interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate **Inverclyde Council** official.

On issues where an **Inverclyde Council** department is consulting with **Community Councils**, representations should be made to the appropriate departmental officer.

## 12. Resourcing a Community Council

A **Community Council** must maintain proper financial records and present financial reports at **Meetings**. As soon as reasonably practicable after the end of each **Community Council Year**, a **Community Council** must also prepare a set of **Annual Accounts** detailing all income and expenditure in that **Community Council Year** and the balances of funds held by the **Community Council** at the start and end of that **Community Council Year**. Both of these tasks would ordinarily be undertaken by the **Community Councillor** appointed by the **Community Council** as their Treasurer.

The **Community Councils** shall follow such guidance as is produced from time to time by **Inverclyde Council** on maintaining financial records, the form of the **Annual Accounts** and the independent verification of the **Annual Accounts Meetings**.

The **Annual Accounts** of a **Community Council** shall be independently examined and approved by at least two examiners appointed by the **Community Council**, who are not **Community Councillors** or **Additional Members** of that **Community Council** or persons connected with any of the **Community Councillors** or **Additional Members** of that **Community Council**. The **Annual Accounts** so examined will then be submitted to the **Community Council's Annual General Meeting** (or if that is not possible, any other **Meeting** of the **Community Council**) for approval by the **Community Council**.

Following independent examination and approval in terms of the last paragraph, a **Community Council** shall as soon as reasonably practicable forward a copy of their **Annual Accounts**, to the **Community Council Liaison Officer**.

The **Community Council Liaison Officer** may, at their discretion and in consultation with the **Inverclyde Council's** Chief Financial Officer, require the community council to produce such records, vouchers and account books, as may be required.

Each **Community Council** shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.

**Inverclyde Council** may provide grant funding to **Community Councils**. The amount of such grant funding, the purposes to which it may be applied, and any conditions attaching to the award or the use of such grant funding shall be as determined by **Inverclyde Council** from time to time.

**Inverclyde Council** shall determine any additional support services/resourcing, such as: photocopying and distribution of community council minutes, agendas and free lets of halls for community council meetings, to suit local requirements.

The **Liaison Officer** will liaise with the **Community Councils** on any training requirements, including but not limited to training on the duties and responsibilities of community council office bearers, the role of **Community Councils**, the functions of **Inverclyde Council** and other relevant topics.

## 13. Complaints Procedure

### Complaints Criteria

Any person may complain to a **Community Council** about the conduct of the **Community Council**, or any of its **Community Councillors** or **Associate Members**.

A **Community Council** must advise **Inverclyde Council** of any **Complaint** received by it, advising of their proposed course of action in terms of this **Clause** and the reasoning for that proposed course of action.

The **Community Council** does not have to consider the substance of a **Complaint**, (or refer it to the Conduct Review Panel), if it decides by a simple majority of **Community Councillors** present at the meeting where it is considered and eligible to vote that:

- the **Complaint** is vexatious; or
- that the subject matter of the **Complaint** is substantially identical to that of a previous **Complaint** that has been or is currently being dealt with by either the **Community Council** or a **Conduct Review Panel**.

All **Complaints** shall be considered by the **Community Council** in the first instance, unless:

- the **Complaint** concerns the conduct of the **Community Council** as a whole, or the conduct of half or more of the **Community Councillors** on a **Community Council**;
- three or more complaints have previously been received about a particular **Community Councillor**, or from a particular individual, during a single term of the Community Council; or

- the complaint concerns the response of the Community Council to a previous **Complaint**.

**Complaints** falling within one of the above categories shall be referred in the first instance by the **Community Council** to **Inverclyde Council** for consideration by a **Conduct Review Panel**. **Conduct Review Panels** are dealt with below.

All other **Complaints** shall be considered by the **Community Council**.

### **Community Council Consideration of Complaints.**

They shall determine **Complaints** on the basis of a simple majority of those present and eligible to vote on whether the subject of the **Complaint** has failed to comply with their duties in their role as a **Community Councillor**. A **Community Councillor** who is either the subject of a **Complaint**, or is the complainer, will not be entitled to vote when that **Complaint** is being considered.

If the **Community Council** is satisfied that complaint is upheld, the **Community Council** must either:-

- censure the **Community Councillor** in question;
- issue of a formal written warning to the **Community Councillor** in question;
- suspension of the **Community Councillor** in question from the **Community Council** for up to 3 months; or
- where the **Community Council** considers it appropriate, refer the **Complaint** to a **Conduct Review Panel** for consideration and determination.

### **Conduct Review Panels and their Consideration of Complaints**

**Inverclyde Council** will establish a **Conduct Review Panel** to consider **Complaints** which have been referred by a **Community Council** where **either** the **Complaint** falls to be considered by such a panel in the first instance **or** a following consideration of the **Complaint**, the **Community Council** has decided to do so, all in terms of this **Clause**.

A **Conduct Review Panel** shall consist of three **Inverclyde Councillors** and two **Community Councillors**, subject to the following:

- **Inverclyde Councillors** will not sit on a **Conduct Review Panel** considering a **Complaint** relating to a **Community Council** which falls within their **Ward** or where they are the complainer or one of the complainers.
- A **Community Councillor** will not sit on a **Conduct Review Panel** considering a **Complaint**: relating to their own **Community Council**; relating to themselves as an individual **Community Councillor**; or where they are the complainer or one of the complainers.
- A **Conduct Review Panel** will have a quorum of three, being two **Inverclyde Councillors** and one **Community Councillor**.

Only members of a **Conduct Review Panel** who are present for all meetings of that **Conduct Review Panel** in relation to a **Complaint** can vote on a decision on that **Complaint**.

If a **Complaint** is made in respect of a decision of a **Community Council** to impose one of sanctions in respect of a previous **Complaint**, implementation of that sanction shall be suspended pending the **Conduct Review Panel's** determination of the new **Complaint**, and in so determining the **Conduct Review Panel** may uphold, vary or revoke the sanction previously imposed.

The **Conduct Review Panel** will endeavour to meet to consider a **Complaint** within 12 weeks of Inverclyde Council's receipt of the referral. The relevant parties will be notified if that timescale cannot be met.

The **Conduct Review Panel** may refer a complaint for consideration by an independent person or body if required.

A decision by the **Conduct Review Panel** will be reached by a simple majority. If the **Conduct Review Panel** is satisfied that the **Complaint** be upheld, they must do one or more of the following:-

- censure the **Community Councillor** in question;
- issue of a formal written warning to the **Community Councillor** in question;
- suspend the **Community Councillor** in question from the relevant **Community Council** for up to one year;
- remove the **Community Councillor** in question from the relevant **Community Council**;
- disqualify the **Community Councillor** in question from sitting on any **Community Council** within the **Inverclyde Council** area for a period of up to a maximum of the remainder of the **Community Council's** term or two years, whichever is greater;
- require the **Community Councillor** in question to participate in mediation with the complainer; and
- in circumstances where it appears that the whole **Community Council**, or a significant proportion of its **Community Councillors** have engaged in gross misconduct, recommend that the **Inverclyde Council** suspend or dissolve the **Community Council**.

The **Conduct Review Panel** will confirm the decision to the **Community Council**, the **Community Councillor** in question and to the complainer, setting out the reason(s) for the decision.

**Inverclyde Council's** Head of Legal, Democratic, Digital & Customer Services will determine procedures for how a meeting of a **Conduct Review Panel** is to be arranged and if any complaint is to be considered. Meetings of a **Conduct Review Panel** shall be held in public unless the **Conduct Review Panel** in that instance decides there are reasonable grounds for them to be wholly or partly in private.

**Inverclyde Council** reserves the right to carry out an investigation that it considers necessary into the conduct of a **Community Council** or individual **Community Councillors**.

## 14. Dissolution of a Community Council

The terms for dissolution of a **Community Council** are contained within the **Model Constitution**.

Notwithstanding these terms:

- should a **Community Council** fail to hold a meeting for a period of 4 consecutive months, **Inverclyde Council** may, having regard to all the relevant facts and circumstances, decide to dissolve that **Community Council**;
- where a **Conduct Review Panel** has recommended suspension or dissolution of a **Community Council** in terms of **Clause 13** of the Scheme, **Inverclyde Council** may, having regard to all the relevant facts and circumstances, decide to suspend or dissolve that **Community Council**;
- for the avoidance of doubt, on the declaration of result of a **General Election** for a **Community Council Area** by the **Returning Officer**, any **Community Council** previously established for that **Community Council Area** will be dissolved.

## **Appendix I - Model Constitution for Community Councils**

# **Constitution of [INSERT NAME OF COMMUNITY COUNCIL] Community Council**

### **1. Name**

The name of the COMMUNITY COUNCIL shall be [INSERT NAME OF COMMUNITY COUNCIL AS PER SCHEME] (referred to as the “COMMUNITY COUNCIL” in this document).

### **2. Area of the Community Council**

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the Scheme for the Establishment of Community Councils in Inverclyde (“the Scheme”) as approved by the Inverclyde Council (“the Council”) on [\[1\]](#).

### **3. Objectives**

The objectives of the COMMUNITY COUNCIL shall be:

- (a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
- (b) to express the views of the community to the Council, to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community, particularly in relation to community safety issues, and to foster community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

### **4. Role and Responsibilities**



In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its membership shall have regard to their role and responsibilities as set out in Clause 3 of the Scheme and the Community Councillors' Code of Conduct agreed in 2009 published by the Scottish Government and any variation or replacement thereof ("the Code of Conduct").

## **5. Membership**

The COMMUNITY COUNCIL'S membership is as governed by Clause 5 of the Scheme. When used in this document, the terms Community Councillor, Elected Member, Co-Opted Member, Additional Member, Associate Member and Ex-Officio Member shall have the meanings set out in that Clause 5.

## **6. Method of Election**

Election procedures shall be governed by the method of election laid down in Clause 7 of the Scheme and as determined from time to time by Inverclyde Council.

## **7. Casual Vacancies on the Community Council**

Where a vacancy arises which does not result in the number of Community Councillors falling below the minimum number as specified in Clause 5 of the Scheme, and at least 6 months has passed since the last election the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

- (a) the holding of an extraordinary general meeting to consider the submission of a request to the Council that an Interim Election be held in terms of Clause 7 of the Scheme to fill the vacancy (and any other outstanding vacancies) can be filled, on the basis that such vacancies would be publicised, nominations invited and an election held where the number of candidates exceeded the number of places available (Interim Elections will be administered by the Council in terms of the Scheme);
- (b) the filling of a vacancy by Co-Option in terms of Clause 5 of the Scheme provided that doing so would not mean the number of Co-Opted Members exceeds the Co-Option limit set out at Clause 5 of the Scheme; or
- (c) the vacancy being left unfilled until local public interest is expressed or until the next set of Regular Elections in terms of Clause 7 of the Scheme.

## **8. Voting Rights of Members of the Community Council**

As provided for in Clause 5 of the Scheme, at any meeting of the COMMUNITY COUNCIL, Community Councillors shall have the right to vote but Associate Members and Ex-Officio Members shall not.

Unless there are specific provisions stating otherwise in the Scheme or this Constitution all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.

In the event of a vote of the Community Councillors that results in a majority not being achieved, the Chair shall have an additional or casting vote.

## **9. Election of Office-Bearers**

- (a) At the first meeting of the COMMUNITY COUNCIL after a Regular Election and thereafter at each Annual General Meeting, the COMMUNITY COUNCIL shall appoint a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide from among its Community Councillors. Where an office bearer vacancy arises, the COMMUNITY COUNCIL may fill such a vacancy by appointment at a regular COMMUNITY COUNCIL Meeting.
- (b) Subject to (c) below, all office-bearers shall be appointed for the period up to the next Annual General Meeting, but shall be eligible for re-appointment, without limitation of time.
- (c) Notwithstanding the terms of (b) above, a COMMUNITY COUNCIL may decide to revoke the appointment of an office bearer at any meeting of the COMMUNITY COUNCIL provided that:
  - i. notice of the proposal to discuss such revocation has intimated to all of the COMMUNITY COUNCIL's Community Councillors and Additional Members least 14 days prior to the Meeting at which the matter will be decided; and
  - ii. the revocation of such appointment can only take place if voted for by at least a two-thirds majority of the Community Councillors present and voting at the Meeting in question.
- (d) Without the express approval of the Council, no one Community Councillor shall hold more than one of the following offices at any one time: Chair, Secretary or Treasurer.

## **10. Committees of the Community Council**

The COMMUNITY COUNCIL may appoint representatives to committees of the COMMUNITY COUNCIL and shall determine their composition, quorum, terms of reference, duration, duties and powers.

## **11. Meetings of the Community Council**

- (a) The quorum for COMMUNITY COUNCIL meetings shall be at least one third of the current number of Community Councillors, or 3 Community Councillors, whichever is the greater.

- (b) Once in each year in a month to be determined by the COMMUNITY COUNCIL in consultation with INVERCLYDE COUNCIL, the COMMUNITY COUNCIL shall convene an Annual General Meeting for the purpose of receiving and considering the Chair's annual report on the COMMUNITY COUNCIL, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (c) The terms of Clause 10 of the Scheme shall apply to the conduct of all meetings of the COMMUNITY COUNCIL, and the COMMUNITY COUNCIL must adhere to the terms of the same. This Clause sets out the minimum number of meetings required, the requirement to provide public notice of meetings, issue Calling Notices and Agendas, and to circulate draft and approved minutes of meetings.
- (d) Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be fixed at the first meeting of the COMMUNITY COUNCIL following a Regular Election, and thereafter at each Annual General Meeting. Special meetings shall require at least 10 days public notice, either called by the Chair, or on the request of not less than one half of the total number of Community Councillors. INVERCLYDE COUNCIL has the discretion to call a meeting of the COMMUNITY COUNCIL, and shall in such circumstances be responsible for the preparation, issue and publication of a CALLING NOTICE and AGENDA.
- (e) Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL.
- (f) The COMMUNITY COUNCIL shall abide by its Standing Orders for the proper conduct of its meetings.
- (g) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a written request, signed by at least 20 persons resident within the COMMUNITY COUNCIL area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 21 days of receipt of such a request, complying with the notice requirement Clause 10 of the Scheme.
- (h) The COMMUNITY COUNCIL can meet to discuss items of business in private where it considers it appropriate to do so. The decision to meet in private will be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way. However, the Notice will record that the meeting, or a part thereof, shall be held in private, and provide the reason why it is to be held in private.

## **12. Public Participation in the Work of the Community Council**

- (a) All meetings of the COMMUNITY COUNCIL and its committees (subject to 11(h), above) shall be open to members of the public. Proper provision is to be made for the accommodation of (or access for) members of the public and the opportunity should

be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chair.

- (b) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area for a minimum period of ten days before the date of any such meeting, and, where possible, be advertised by other suitable means.

## **13.Information to the Council**

The Community Council Liaison Officer shall be sent an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting, minutes of all meetings, the annual report, the annual financial statement and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and the Council. When special meetings of the COMMUNITY COUNCIL are to be held, the Community Council Liaison Officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 10 days in advance of the meeting date.

## **14.Control of Finance**

- (a) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by the Council and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by the Council by way of Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the community council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.
- (b) The Treasurer shall undertake to keep proper accounts of the finances of the COMMUNITY COUNCIL.
- (c) Any two of three authorised signatories, who would normally be office-bearers of the community council, may sign cheques on behalf of the COMMUNITY COUNCIL, provided that no two authorised signatories can be related, have a business connection or reside in the same house.
- (d) The provisions of Clause 12 of the Scheme shall apply to and be followed by the COMMUNITY COUNCIL in relation to the preparation, independent verification and COMMUNITY COUNCIL approval of the Annual Accounts of the COMMUNITY COUNCIL for each Community Council Year.

## **15.Title to Property**

Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices as trustees of the COMMUNITY COUNCIL.

## **16.Alterations to the Constitution**

Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a meeting of the COMMUNITY COUNCIL and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme.

If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL'S Community Councillors present and voting at that Meeting, and is approved in writing by the Council, the alteration shall be deemed to have been duly authorised and can then come into effect.

## **17.Dissolution**

If the COMMUNITY COUNCIL by a two-thirds majority of the Community Councillors present and voting at the meeting in question, decides that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss a proposed resolution to dissolve.

It is a requirement that not less than ten days prior to the date of such meeting a public notice be given by means of notification in the local newspaper.

If the resolution is supported by a majority the Community Councillors present and voting at that meeting and is approved by the Council, the COMMUNITY COUNCIL shall be deemed to be dissolved and all assets remaining, subject to the approval of the Council, after the satisfaction of any proper debts or liabilities shall transfer to the Council who shall hold same in Trust for a future COMMUNITY COUNCIL representing that area.

In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a COMMUNITY COUNCIL for the area, these electors shall submit a requisition to the Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with the Scheme.

## **Appendix II - Model Standing Orders**

# **Standing Orders of [INSERT NAME OF COMMUNITY COUNCIL] Community Council**

### **1. Meetings**

- (a) Ordinary meetings of the COMMUNITY COUNCIL shall be held in on such dates as are determined from time to time by the COMMUNITY COUNCIL in accordance with the COMMUNITY COUNCIL's Constitution and the Scheme for the Establishment of Community Councils in Inverclyde ("the Scheme"). Special Meetings may be called at any time: on the instruction of the Chair of the COMMUNITY COUNCIL; on the request of not less than one-half of the total number of Community Councillors (as defined the Scheme) of the COMMUNITY COUNCIL; or on the receipt of a common written request, signed by at least 20 persons, resident within the COMMUNITY COUNCIL area, to convene a special meeting for a particular matter or matters to be debated. A Special Meeting shall be held within 21 days of the receipt of the request made to the Secretary of the COMMUNITY COUNCIL. Annual General Meetings are held annually.
- (b) The notice of meetings of the COMMUNITY COUNCIL, featuring the date, time and venue, shall be provided to each COMMUNITY COUNCIL member and the Community Council Liaison Officer by the Secretary of the COMMUNITY COUNCIL, at least 10 days before the date fixed for the meeting.

### **2. Minutes**

Minutes of the proceedings of a meeting of the COMMUNITY COUNCIL shall be drawn up, and distributed in accordance with Clause 10 of the Scheme and shall, following their approval, be signed at the next meeting of the COMMUNITY COUNCIL by the person presiding thereat and retained for future reference.

### **3. Quorum**

A quorum shall be one-third of the current number of Community Councillors of the COMMUNITY COUNCIL, or 3 such Community Councillors, whichever is the greater. If a quorum is not present, no business may be transacted or decisions made by the COMMUNITY COUNCIL at the meeting.

### **4. Order of Business**

### **i. Ordinary Meeting**

The order of business at every Ordinary Meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last meeting of the COMMUNITY COUNCIL shall be submitted for approval.
- (c) Any other item of business, which the Chair has directed, should be considered.
- (d) Any other competent business.
- (e) Questions from the floor.
- (f) Chair to declare date of next meeting and close meeting.

### **ii. Annual General Meeting**

The order of business at every Annual General Meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last annual general meeting of the COMMUNITY COUNCIL shall be submitted for adoption.
- (c) Chair's Annual Report (and questions from the floor).
- (d) Secretary's Annual Report (and questions from the floor).
- (e) Treasurer's submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- (f) Demit of current office bearers/election of office bearers.
- (g) Chair to declare date of next annual general meeting and close meeting.

It will not be uncommon that the COMMUNITY COUNCIL has arranged for an ordinary meeting of the COMMUNITY COUNCIL to begin at the close of the Annual General Meeting, to enable any outstanding reporting on business matters to be heard; and for Community Councillors, Additional Members and members of the public to have an opportunity to bring matters to the attention of the COMMUNITY COUNCIL, possibly for inclusion on a future agenda.

### **iii. Special Meeting**

The order of business at every Special Meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) Business for debate, as described in the calling notice for the special meeting.
- (c) Chair to close meeting.

## **5. Order of Debate**

- (a) The Chair shall decide all questions of order, relevancy and competency arising at meetings of the COMMUNITY COUNCIL and her/his ruling shall be final and shall not be open to discussion. In particular, the Chair shall determine the order, relevancy and competency of all questions from the public in attendance at meetings of the COMMUNITY COUNCIL raised at 4, above. The Chair in determining the order, relevance and competency of business and questions shall have particular regard to the relevance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chair shall have the power, in the event of disorder arising at any meeting, to adjourn the COMMUNITY COUNCIL meeting to a time he/she may then, or afterwards, fix.
- (b) Every motion or amendment shall be moved and seconded by a Community Councillor.
- (c) After a mover of a motion has been called on by the Chair to reply, no other members shall speak to the question.
- (d) A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.
- (e) A motion or amendment which is contrary to a previous decision of the COMMUNITY COUNCIL shall not be competent within six months of that decision.

## **6. Voting**

- (a) Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, the appointment of office bearers (or the revocation of such appointment) may be held by secret ballot.
- (b) The Chair of a meeting of the COMMUNITY COUNCIL shall have a casting vote as well as a deliberative vote.

## **7. Alteration of Standing Orders**

A proposal to alter these Standing Orders may be proposed to Inverclyde Council to be altered or added to at any time by the COMMUNITY COUNCIL, provided that notice of motion to that effect is given at the meeting of the COMMUNITY COUNCIL immediately prior



to that at which the motion is discussed. Inverclyde Council shall have final discretion on any proposed change.

## **8. Committees**

The COMMUNITY COUNCIL may appoint such committees as it may from time to time decide and shall determine their composition, quorum, terms of reference, duration, duties and powers.

## **9. Suspension of Standing Orders**

These Standing Orders shall not be suspended except at a meeting at which three-quarters of the total number of Community Councillors are present and then only if the mover states the object of his motion and if at least two-thirds of the Community Councillors present and voting support the suspension.

## Appendix III - Community Councils, Maximum and Minimum Numbers, and Populations (best fit from SIMD data)

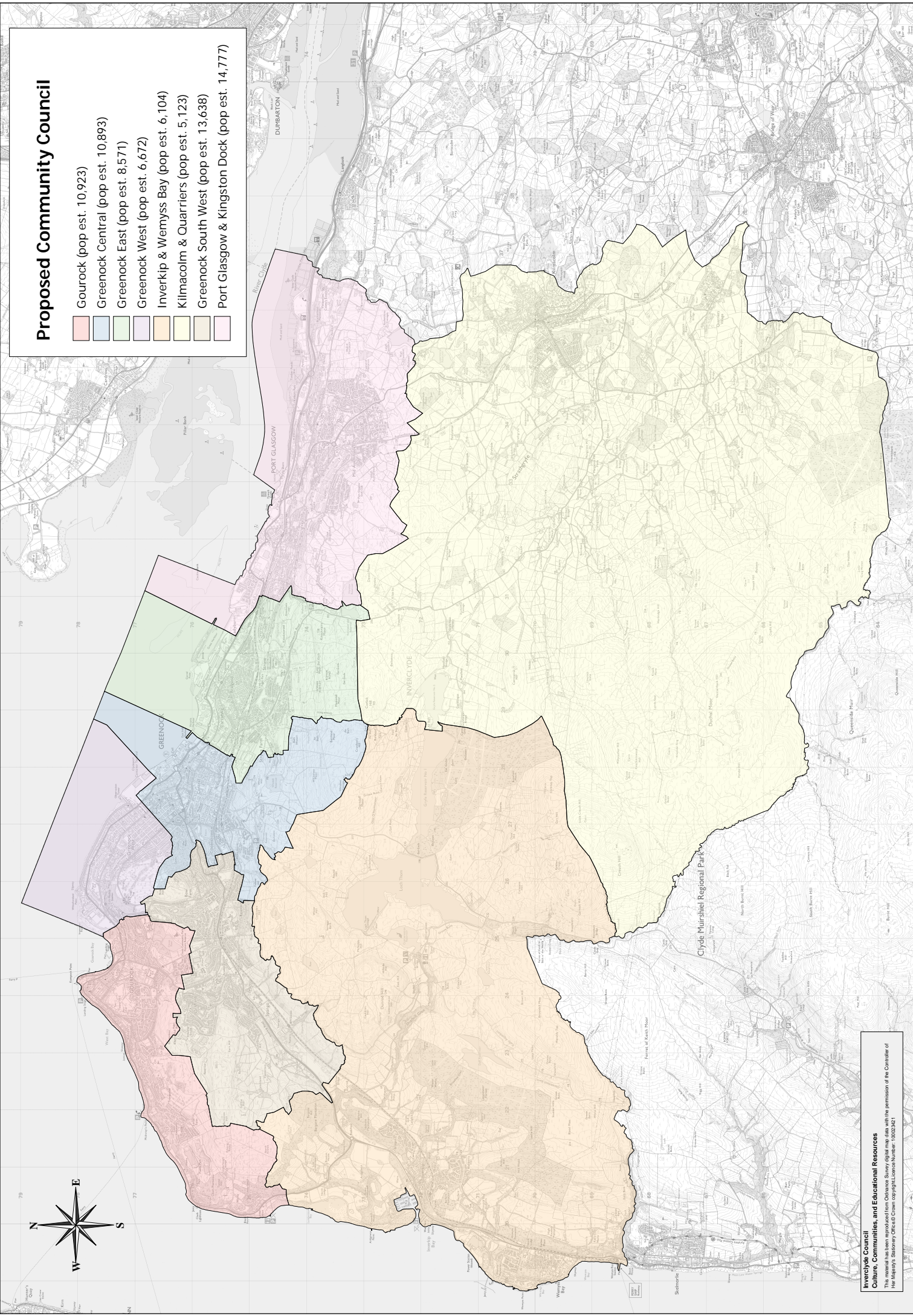
<b>Proposed Council</b>	<b>Community</b>	<b>Population</b>	<b>Minimum Number of Community Councillors</b>	<b>Maximum Number of Community Councillors</b>
Gourock		10923	5	12
Greenock Central		10893	5	12
Greenock East		8571	5	11
Greenock Southwest		13683	5	13
Greenock West		6672	5	10
Inverkip and Wemyss Bay		6104	5	10
Kilmacolm and Quarriers		5123	5	9
Port Glasgow and Kingston Dock		14777	5	14

## **Appendix IV - Maps of Community Council Areas**



# Proposed Community Council

- Gourcock (pop est. 10,923)
- Greenock Central (pop est. 10,893)
- Greenock East (pop est. 8,571)
- Greenock West (pop est. 6,672)
- Inverkip & Wemyss Bay (pop est. 6,104)
- Kilmacollm & Quarriers (pop est. 5,123)
- Greenock South West (pop est. 13,638)
- Port Glasgow & Kingston Dock (pop est. 14,777)





## Appendix V - Defined Terms

Where the following terms appear in the **Scheme** they will have the meanings set out below:

**Act** means the Local Government (Scotland) Act 1973;

**Additional Member** means an **Associate Member** or an **Ex-Officio Member**;

**Agenda** has the meaning set out in **Clause 10** of the **Scheme**;

**Annual Accounts** means the Annual Accounts of a **Community Council** in terms of **Clause 12** of the **Scheme**;

**Annual General Meeting** means an Annual General Meeting of a **Community Council** in accordance with **Clause 10** of the **Scheme**;

**Appendix** means an Appendix to the **Scheme**;

**Associate Member** means a member appointed in terms of the paragraph on Associate Members in **Clause 5** of the **Scheme**;

**Calling Notice** has the meaning set out in **Clause 10** of the **Scheme**;

**Clause** means a numbered Clause of the **Scheme**;

**Community Council** means a Community Council established under the **Scheme**;

**Community Council Area** means the area of a **Community Council** as set out in the map or maps in **Appendix IV** to the **Scheme**;

**Community Council Year** means the period running from 1 April in a given year to 31 March in the subsequent year, or such other period as may from time to time be determined by **Inverclyde Council**;

**Community Councillor** means an **Elected Member** or a **CoOpted Member**;

**Community Councillors' Code of Conduct** means the Community Councillors' Code of Conduct agreed in 2009 and published by the Scottish Government, and as from time to time varied or replaced by the Scottish Government;

**Conduct Review Panel** means a Conduct Review Panel established by **Inverclyde Council** in terms of **Clause 13** of the **Scheme**;

**Constitution** means the Constitution of a **Community Council** in terms of **Clause 3** of the **Scheme**;

**Co-Opted Member** means a member appointed in terms of the paragraph on Co-Opted Members in **Clause 5** of the **Scheme**;

**Co-Option Limit** means from time to time, 40% of a **Community Council's** number of **Community Councillors**;

**Elected Member** means a member elected to the **Community Council** at an **Election**;

**Election** means a **Regular Election** or an **Interim Election**;

**Eligibility Requirements** are the conditions for membership as a **Community Councillor** set out in **Clause 5** of the **Scheme**;

**Ex Officio Member** means an Ex-Officio Member in terms of **Clause 5** of the **Scheme**;

**Interim Election** means an election held in addition to those in the regular four yearly cycle, as set out **Clause 7** of the **Scheme**;

**Inverclyde Council** means the Inverclyde Council, constituted under the Local Government etc. (Scotland) Act 1994, Municipal Buildings, Clyde Square Greenock (and depending on context, may include a committee or officer of Inverclyde Council to whom authority has been delegated to act or decide on behalf of Inverclyde Council);

**Inverclyde Councillor** means an elected member of **Inverclyde Council**.

**Liaison Officer** means the official nominated by **Inverclyde Council** from time to time to act as liaison between **Inverclyde Council** and the **Community Councils**;

**Maximum Number** means the maximum number of **Community Councillors** for each **Community Council** as set out in **Appendix III** to the **Scheme**;

**Meeting** means an **Ordinary Meeting**, a **Special Meeting** or an **Annual General Meeting**;

**Minimum Number** means the minimum number of **Community Councillors** for each **Community Council** as set out in **Appendix III** to the **Scheme**;

**Minute** means a minute of a **Meeting**, circulated in draft form per **Clause 10** of the **Scheme**, and approved by the **Community Council** at a subsequent **Meeting**;

**Model Constitution** means the form of constitution set out in **Appendix I** to the **Scheme**;

**Model Standing Orders** means the form of standing orders set out in **Appendix II** to the **Scheme**;

**Ordinary Meeting** means an Ordinary Meeting of a **Community Council** in accordance with **Clause 10** of the **Scheme**;

**Regular Election** means an election held for a **Community Council** in the regular four yearly cycle, as set out **Clause 7** of the **Scheme**;

**Sanction** means one of the sanctions open to both a **Community Council** and a **Conduct Review Panel** in terms of **Clause 13** of the **Scheme**;

**Scheme** means this Scheme for the Establishment of Community Councils in Inverclyde;

**Special Meeting** means a Special Meeting of a **Community Council** in accordance with **Clause 10** of the **Scheme**;

**Standing Orders** means the Standing Orders of a **Community Council** in terms of **Clause 3** of the **Scheme**; and

**Ward** means, with reference to an **Inverclyde Councillor**, the Inverclyde Council Ward that Councillor represents.