COMMUNITY COUNCIL SCHEME REVIEW - CONSULTATION

Report by Chief Executive

SCOTTISH BORDERS COUNCIL

30 January 2014

1 PURPOSE AND SUMMARY

1.1 This report presents the recommendations of the Community Council Scheme Review Working Group and seeks authorisation to take them out to consultation.

1.2 During 2013 the Community Council Scheme Review Working Group developed a set of recommendations for amendments to the Community Council Scheme (2007). In order to ensure that the amendments fit with the current position in the Scottish Borders a 12 week consultation period is proposed.

The proposed consultation document is appended to this report and includes the proposed amended Community Council Scheme.

The proposal includes 25 recommendations and supports the establishment of two new community council areas.

2 RECOMMENDATIONS

2.1 I recommend that Scottish Borders Council:-

(a) agrees the content of the Community Council Scheme review consultation document as appended to this report;

(b) approves the publication of the consultation document for a 12 week consultation period.
3 BACKGROUND

3.1 Community Councils were first established in Scotland following the 1973 Act and following that, the Local Government etc. (Scotland) Act, 1994, which produced the current system of unitary local authorities and made provision for the continuation of community councils.

3.2 In terms of the 1973 Act, the Council shall from time to time review the Community Council Scheme.

3.3 As of January 2014 there are 66 community councils operating in the Scottish Borders. There are 67 defined community council areas in total. Jed Valley Community Council is currently in abeyance.

3.4 The Scottish Borders Council Community Council Scheme sets out the rules under which community councils in the Scottish Borders must abide.

3.5 In order to remain current, and reflect good practice, it is important that the Scheme is reviewed with a degree of frequency.

4 REVIEW PROCESS

4.1 In 2007 Scottish Borders Council adopted a revised Scheme for the establishment of community councils within the Scottish Borders Council area. This revoked the previous Scheme adopted in 1997, with effect from midnight on 13 December 2007.

4.2 In October 2012 Scottish Borders Council approved a review of the existing Community Council Scheme and established a Working Group chaired by Cllr Frances Renton. Group membership comprised a Scottish Borders Councillor and Community Councillor from each Area Forum area. Nominations for membership were sought from Area Forums meetings in November/December 2012.

4.3 The Group met throughout 2013 to discuss the Community Council Scheme and agree the recommendations for change that appear in Appendix one of this report.

4.4 It is proposed that the Working Group will discuss the results of the consultation before final changes are brought to the Scottish Borders Council for approval.

5 RECOMMENDATIONS

5.1 The Working Group has made a series of recommendations, the detail of which can be seen in Appendix one. The recommendations fall into the following categories:

<table>
<thead>
<tr>
<th>Scheme section</th>
<th>Number of Recommendation</th>
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<tbody>
<tr>
<td>Main body</td>
<td>Five</td>
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<tr>
<td>Community council seats</td>
<td>Five</td>
</tr>
<tr>
<td>Community council names</td>
<td>Five</td>
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6 THE ESTABLISHMENT OF TWO NEW COMMUNITY COUNCILS

6.1 The Group received proposals from two communities for the establishment of new community councils in their areas, these being the communities of Upper Liddesdale & Hermitage (currently part of the Newcastleton & District Community Council area) and Tweedsmuir (currently part of the Upper Tweed Community Council area).

6.2 The proposals are detailed on pages 15 – 21 of Appendix one.

6.3 While the Working Group is unable to present these proposals as recommendations, due to the additional financial implications of approximately £1,750, it is minded to support both. The costs associated with the each of the two new community council areas can be broken down annually as follows:

- Annual grants: £540
- Meeting room costs: approx. £200
- Insurance cover: approx. £97
- Data Protection fee: £35

7 UNSUPPORTED BOUNDARY CHANGE

7.1 A proposal has been received from Newtown & Eildon Community Council to adjust the boundary with St Boswells Parish Community Council to include the proposed Newtown housing development area in the former. St Boswells Parish Community Council does not support this proposal. No recommendation, either way, is being made at this stage.

8 IMPLICATIONS

8.1 Financial

Financial implications arising from the recommendations will be fully explored prior to the final changes being brought to the Scottish Borders Council for approval.

8.2 Risk and Mitigations

(a) An evaluation of risk will be undertaken on conclusion of the consultation period, prior to the final changes being brought to the Scottish Borders Council for approval.
8.3 **Equalities**
(a) An Equalities Impact Assessment will be carried out on this proposal prior to the final changes being brought to the Scottish Borders Council for approval. It has been identified that the protected characteristics that will require particular attention at this time are age and disability.

8.4 **Acting Sustainably**
(a) An evaluation of economic, social or environmental aspects will be undertaken on conclusion of the consultation period, prior to the final recommendations being brought to the Scottish Borders Council for approval.

8.5 **Carbon Management**
(a) An evaluation of the impact on the Council’s carbon emissions will be undertaken on conclusion of the consultation period, prior to the final recommendations being brought to the Scottish Borders Council for approval.

8.6 **Rural Proofing**
(a) Rural proofing will be undertaken on conclusion of the consultation period, prior to the final recommendations being brought to the Scottish Borders Council for approval.

8.7 **Changes to Scheme of Administration or Scheme of Delegation**
(a) No changes are required to the Councils Scheme of Administration or Scheme of Delegation.

9 **CONSULTATION**

9.1 The Chief Financial Officer, the Head of Corporate Governance, the Head of Strategic Policy, the Head of Audit and Risk, the HR Manager and the Clerk to the Council have been consulted on this report.

Approved by

Chief Executive Signature ………………………………………

Author(s)

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Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Clare Malster can also give information on other language translations as well as providing additional copies.

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