

# **SCOTTISH BORDERS COMMUNITY COUNCIL SCHEME REVIEW WORKING GROUP**

## **DRAFT TERMS OF REFERENCE**

### **Working Group Objectives**

- To ensure the Scottish Borders Scheme of Establishment for Community Councils is up to date and takes account of best practice as identified in any Model Scheme or other local authority scheme as appropriate.
- The Group should seek to identify the key issues facing Community Councils in terms of the Scheme.
- Through consultation with stakeholders as appropriate and in compliance with legislation (Section 53 of the Local Government (Scotland) Act 1973, as amended), it should identify any changes to be proposed to the existing Scheme.

### **Method of Approach**

The Working Group will carry out a review by:

- (a) Discussing issues in relation to the application of the current Scheme to understand Community Council challenges;
- (b) Examining relevant documentation; and
- (c) Analysing the information collected to reach robust conclusions, examining options and putting forward recommendations.

### **Membership of Working Group**

- SBC Councillor Sandy Aitchison (Chairman)  
Berwickshire
- SBC Councillor Helen Laing
- Community Councillor Logan Inglis
- Community Councillor Derek Russell (sub)  
Cheviot
- SBC Councillor Euan Robson
- Community Councillor Matthew Ladds
- Community Councillor Stuart Turnbull (sub)  
Eildon
- SBC Councillor Gordon Edgar
- Community Councillor Judith Cleghorn

- Village Committee Councillor Jill Calvert (sub)  
Teviot & Liddesdale
- SBC Councillor Watson McAteer
- Community Councillor John Scott
- Community Councillor Philip Kerr (sub)  
Tweeddale
- SBC Councillor Shona Haslam
- Community Councillor James Taylor

Officers in Support: Jenny Wilkinson, Clerk to the Council; Nuala McKinlay, Chief Legal Officer; Louise McGeoch, Democratic Services Team Leader; Clare Malster, Strategic Community Engagement Officer.

### **Quorum**

No business shall be considered at a meeting of the Working Group unless at least 3 SBC Councillors and 3 Community Councillors (or their substitutes) are present from 3 separate areas.

### **Scope**

The review will take account of:

1. The different sections/content within the current Community Council Scheme, identifying any areas on which the Scheme is silent or requires further detail.
2. The variation in size and make-up of Community Councils across the Scottish Borders.
3. The rural nature of the area including transport and digital connectivity.
4. The challenges faced by Community Councils.
5. The perceptions of other key stakeholders, including young people, of Community Councils.
6. Comments received from Community Councils, other community groups and members of the public.

### **Expectations**

- In light of their work, the Working Group is to draft a final report setting out appropriate recommendations and project proposals for consideration by Scottish Borders Council.
- The report will have clearly presented findings based on sound information and research, with practical and realistic outcomes, and SMART recommendations.
- It is anticipated that the final report will be available by the end of September 2020.

## **Assumptions**

It is assumed that:

- The information required for the review will be available timeously.
- People will be available to attend meetings, otherwise the timescale for the final report may be affected.

## Local Government (Scotland) Act 1973, as amended – Section 53

### **53 Amendment of schemes.**

(1) Having regard to changing circumstances and to any representations made to them, every local authority shall from time to time review schemes made and approved under section 52 of this Act and, where they consider that such a scheme ought to be amended, they shall give public notice of their proposals, inviting any community council concerned and the public to make to the local authority representations as respects the proposals.

(2) The local authority shall consider any representations made under subsection (1) above and may amend the scheme in accordance with—

(a) the notified proposals; or

(b) those proposals as amended to take account of any such representations:

Provided that the scheme shall not be amended under paragraph (b) of this subsection unless public notice of the amendments to the proposals has been given with a further invitation to make representations under subsection (1) above.

(3) A decision of the local authority—

(a) to review, under subsection (1) above; or

(b) to amend, under subsection (2) above,

a scheme, shall be by resolution passed by not less than two-thirds of the members voting thereon at a local authority meeting specially convened for the purpose with notice of the object.