

NORTH LANARKSHIRE COUNCIL
LOCAL GOVERNMENT (SCOTLAND) ACT 1973
SCHEME FOR COMMUNITY COUNCILS

1. Statutory Purpose

- 1.1. Community Councils are voluntary organisations. Their role is established by local government legislation which identifies the general purpose of a Community Council to be to ascertain, co-ordinate and express to the local authority - and to other public authorities - the views of the community it represents, in relation to matters for which those Authorities are responsible, and take such action in the interests of that community as appears to be expedient and practicable.
- 1.2. North Lanarkshire Council is committed to giving local communities a real say in what happens in their areas and recognises that Community Councils have an important role in this regard.

2. The Role and Responsibilities of Community Councils

- 2.1. The general purpose of Community Councils is to act as a voice for their local 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 making representations to their local authority, other public sector bodies and private agencies on matters within their sphere of interest.
- 2.2. It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the Community Council should have in place recognised consultative mechanisms to validate their views and should devise strategies to secure greater involvement by all sectors of the community.
- 2.3. 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 the terms of the Council's Scheme for Community Councils.
- 2.4. There should be mutual engagement in the establishment of working relationships with the local authority and other agencies.
- 2.5. In carrying out their activities Community Councils must at all times adhere to the law, the terms of the Council's Scheme for Community Councils and the Community Councillors' Code of Conduct (Appendix 3).
- 2.6. Each Community Council is required to adopt a Constitution, based upon the Model Constitution (Appendix 4), which has been produced together with Model Standing Orders (Appendix 5), 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. The Community Council's Constitution is required to be submitted to the local authority.

3. The Role of the Community Councillor

- 3.1. Community Councillors are required to represent the views of the local community. To do this Community Council members will have to ascertain the views of people in the community on particular topics. The views of the community may, from time to

time, conflict with the personal views of individual Community Council members. When this situation arises a Community Council is required to ensure that the views of the community take precedence over the personal views of individual members.

- 3.2. Community Councillors are also required to abide by the Code of Conduct for Community Councillors and adhere to the general principles contained in the Code: failure to do so may result in their suspension from the Community Council.

4. **Areas**

- 4.1. For the purpose of the establishment of Community Councils, North Lanarkshire is divided into areas and for each of those areas this scheme provides for the establishment of a Community Council.

- 4.2. The various Community Council areas within North Lanarkshire are hereinafter detailed. Their approximate electorates are shown in Appendix 1 to this scheme. The boundaries of the Community Council areas are detailed on maps which are available for inspection at Legal and Democratic Solutions, Civic Centre, Windmillhill Street, Motherwell ML1 1AB.

5. **Composition**

- 5.1. The various Community Councils within North Lanarkshire, the maximum number of members of each Community Council, including the number requiring to be elected by the process of election and the maximum number to be co-opted, are all as detailed in Appendix 2 to this scheme.

- 5.2. The minimum number of valid nominations necessary to establish a Community Council shall be not less than two thirds or thereby of the number of members to be directly elected.

- 5.3. The minimum number of members necessary to constitute a quorum shall be 33% (one third) of the elected membership of each Community Council subject to the requirement that there be in attendance for all meetings at least three elected Community Councillors.

- 5.4. Following the ordinary election of members to Community Councils, each Community Council shall make arrangements for the co-option of members. The number of co-opted members shall not exceed the numbers detailed in Appendix 2 to the Scheme.

- 5.5. If a Community Councillor fails throughout a period of six consecutive months to attend any meeting of the Community Council, unless the reason for non-attendance is approved during that period by the Community Council, that member shall cease to be a member of the Community Council.

- 5.6. *Associate Members*

Associate members may be appointed by a Community Council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights. Associate members may serve for a fixed period as determined by the Community Council or for the term of office of the Community Council that has appointed them. Associate members may also include representation from other constituted local voluntary organisations. Associate members need not reside within the area of the Community Council.

5.7. *Ex-Officio Members*

Local Authority Councillors, MPs, MSPs and MEPs whose wards or constituencies fall wholly or partly within the geographical area of the Community Council area shall be deemed ex-officio members of the Community Council. Ex-officio members shall have no voting rights.

6. **Arrangements for Quadrennial and Interim Election of Community Council Members**

- 6.1. There shall be a Quadrennial Election of all elected Community Council members every four years.
- 6.2. All members elected to a Community Council must be resident in the area of the Community Council and, their names must be properly included in the current Electoral Register for the area. Every candidate for election to a Community Council must be proposed and seconded by persons with the same residential qualifications.
- 6.3. Quadrennial Elections to a Community Council shall take place at such times and places and in such a manner as North Lanarkshire Council determines.
- 6.4. No person shall be eligible to stand for election as a member of a Community Council if he/she is a Local Authority Councillor, a Member of the Scottish Parliament, a Member of Parliament, a Member of the European Parliament or a candidate for election to any of these bodies, notwithstanding that election to any of the foregoing will entail ex-officio membership of the Community Council.
- 6.5. The Chief Executive of North Lanarkshire Council, or his nominee, shall act as Returning Officer for the Quadrennial Elections to Community Councils and shall regulate the conduct of elections by reference to provisions of the Representation of the People Acts.
- 6.6. Only those persons whose names are included in the Electoral Register for the area and are entitled to vote at local government elections shall be entitled to vote at a Community Council election for that area.
- 6.7. The decision of the Returning Officer on all matters of election and nomination procedures shall be final.
- 6.8. The expenses of organising the Quadrennial Election to Community Councils shall be met by North Lanarkshire Council.
- 6.9. With regard to other interim elections to fill interim vacancies occurring during the period between Quadrennial elections, it will be the responsibility of each Community Council to conduct those interim elections, with the exception of circumstances whereby the number of elected Members falls below half of the maximum number which could be elected, in which case the Local Authority shall be informed and shall undertake the arrangements for interim elections.. The expense, if any, involved in organising elections for the filling of interim vacancies shall be met by the Community Council (unless the exceptional circumstances referred to above apply).
- 6.10. Sixteen and 17 year olds residing in the Community Council area and named on the Electoral Register for that area are also entitled to both stand for the Community Council and vote in any election.

7. Arrangements for Co-option of Members

- 7.1. Subject to paragraph 6.9 each Community Council shall be entitled to fill interim vacancies which may arise or to fill those places specifically reserved for Co-opted Members either individually or by nomination from local organisations. In the case of a co-option of a nominee of a local organisation such an appointment shall not be revocable by the local organisation unless the appointee leaves the organisation or leaves the Community Council area and are no longer on the Electoral Register for the area.
- 7.2. It shall be at the discretion of a Community Council to reserve a number of places for co-option by local organisations not exceeding that specified in Appendix 2 and the autonomy of those Co-opted Members shall be reserved for their period of office.
- 7.3. Local organisations which cover a larger area than the Community Council area may be eligible to nominate persons for co-option as members.
- 7.4. In determining members to be co-opted, Community Councils shall have regard to any nominations by local organisations active in the area of the Community Council and, in determining whether to co-opt any person so nominated, shall have regard to its length of establishment, of the nominating organisation, its membership, its role in the community and the number of nominations received from that organisation.
- 7.5. Members of Community Councils appointed in terms of this category shall hold office as such appointee Members until the next Quadrennial election of Community Councillors. Membership of the Community Council may subsequently be renewed by co-option by the Community Council following nomination by the same or a different local organisation or the election or the co-option to Membership of the Community Council as an individual member of the community.
- 7.6. A Community Council cannot use its authority to co-opt members to facilitate a situation whereby the number of co-opted members exceeds the number of elected members.
- 7.7. For the avoidance of doubt and without prejudice to the foregoing provisions it is declared that subject to paragraph 8 of the Model Constitution for Community Councils each Community Council shall be entitled to co-opt additional Members with full voting rights (as detailed in Appendix 2).
- 7.8. Notice of the proposed co-option of an individual to a Community Council shall require to be notified to all Community Council Members at least 14 days prior to the meeting when the matter is to be considered.
- 7.9. The number of co-opted members may not exceed a THIRD of the current total Community Council membership. Should the ratio of co-opted to elected Community Councillors become greater than one-third, due to any circumstances, an interim election process shall be triggered.

8. Arrangements for Ordinary Meetings, Inaugural Meetings, Annual General Meetings (AGMs) and Extraordinary General Meetings (EGMs)

- 8.1. The first meeting of a Community Council following a Community Council election, will be called by the Head of Legal and Democratic Solutions. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing Community Council.

- 8.2. 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 each year.
- 8.3. Each Community Council shall hold an Annual General Meeting no later than 30 June each year to which the Annual Report and Financial Accounts of the Community Council for the preceding year shall be submitted.
- 8.4. Upon a requisition, by at least one third of elected and co-opted members, specifying the business to be transacted, the Secretary of the Community Council shall convene an Extraordinary General Meeting to discuss the business detailed in the requisition, which meeting shall be held within 14 days of receipt by the Secretary of such requisition.
- 8.5. With regard to the foregoing it shall be a requirement that each Community Council give reasonable advance public notice of either an AGM or EGM not less than 7 days prior to the date of the meeting, which public notice will include notice of the business to be transacted.
- 8.6. That upon receipt of a requisition from at least 20 persons resident in the area and on the current Electoral Register, requesting the Community Council discuss a particular matter at a special meeting, the Community Council will call the meeting within 14 days and then hold a special meeting within a further period of 14 days.

9. **Community Council Constitutions/Standing Orders**

Each Community Council is bound by the terms of the Model Constitution and Standing Orders attached as Appendices 4 and 5 respectively to this Scheme. However, any Community Council may submit an amended version of that Constitution/Standing Orders for approval by the Head of Legal and Democratic Solutions on behalf of North Lanarkshire Council. Amendments to Constitutions or Standing Orders will take effect only following approval by or on behalf of the Council.

10. **General Provisions as to Community Councils**

- 10.1. No Community Council Member shall be elected or co-opted to hold office for a period longer than four years but every member shall be eligible for re-election/further co-option provided all other qualifying conditions are met.
- 10.2. Each Community Council shall appoint a Chairman, Vice Chairman, Secretary and Treasurer from its Members and may appoint other office bearers as it wishes. Provision may be made for the payment of honoraria only to the Chairman, Secretary and Treasurer.
- 10.3. The accounts of each Community Council shall be audited annually by or on behalf of the Head of Financial Solutions of North Lanarkshire Council and it shall be the duty of each Community Council to make available to the Executive Director of Finance and Customer Services all necessary records and vouchers by 30 April each year, to permit the audit to be carried out. The financial year of each Community Council shall be 1 April to 31 March.
- 10.4. In the event of three successive meetings of the Community Council failing to achieve the necessary quorum, or if it fails to meet within 6 months, the Secretary of the Community Council shall advise the Head of Legal and Democratic Solutions accordingly in order that consideration can be given to taking the appropriate steps including the possible dissolution of the Community Council.

- 10.5. Meetings of Community Councils shall be held in public. However a Community Council shall have the right, on a formal resolution, to go into private session if it is determined that public discussion of the business to be transacted would not be beneficial to the community, or that the subject matter is confidential to an individual and should not be heard in public.
- 10.6. The Local Authority Councillors, MPs, MSPs and MEPs for the area or part of the area of a Community Council shall receive Agenda, Notices and Minutes of Meetings of the Community Council for their area and, as Ex-Officio Members, shall be entitled to attend, participate in and address all such meetings, but shall not be entitled to vote.
- 10.7. Each Community Council may appoint Committees from their own numbers to assist them in the discharge of any of their functions and may also appoint Groups partly from their own number and partly from outwith their own number, to consider any matters of interest to the Community Council area or any part thereof, and to make recommendations to the Community Council.
- 10.8. Upon introduction of a National Scheme of Insurance Liability cover for Community Council members, the Local Authority shall advise the insurance underwriter of the establishment of a Community Council and its members.
- 10.9. The Community Council must inform the Local Authority of any change in membership, either elected, co-opted or Associate within 28 days of any change being affected.
- 10.10. Recognition should be given to the contribution of everyone participating in the work of the 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.

11. Finance

- 11.1. All monies received by a Community Council, whether by way of grant, contribution or loan or raised by or on behalf of that Council shall be used to further the objects of the Council and for no other purpose.
- 11.2. Every Community Council shall be responsible for its own finance and for the keeping of proper records. All monies other than those required for petty cash purposes shall be held in a Bank account or accounts. The accounts and financial records shall be controlled by a Treasurer who shall arrange for these accounts to be prepared for audit at the end of each financial year and to be made available for publication and to be presented at the Annual General Meeting of the Community Council.
- 11.3. The Community Council Annual Accounts shall be audited in accordance with guidance issued by North Lanarkshire Council.
- 11.4. In addition to any financial assistance from North Lanarkshire Council a Community Council may take such other steps as it considers appropriate to raise funds for their activities by way of voluntary subscriptions, donations, promotion of functions and applications for grants and loans from other public bodies.

12. Information Procedures and Liaison with the Council

- 12.1. North Lanarkshire Council and each Community Council shall exchange the Council Agenda and Minutes of their meetings. In addition, the Community Council shall make available, in Public Libraries and other public buildings convenient to its area, a copy of all Minutes.
- 12.2. In order to facilitate the effective functioning of Community Councils, the local authority has identified the Head of Legal and Democratic Solutions to act as a Liaison Officer with Community Councils. Unless there is a specific agreement or an issue is a specific Service issue, all correspondence between the local authority and the Community Councils should, in the first instance, be directed through that official.
- 12.3. Community Councils may make representations to the local authority and other public and private agencies, on matters for which it is 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 local authority. On issues where a local authority Service is consulting with Community Councils, representations should be made to the appropriate Service officer.

13. Commencement of Scheme

- 13.1. This scheme may be reviewed from time to time by a resolution to that effect being made by North Lanarkshire Council, subject to the terms of Section 53 of the Local Government (Scotland) Act 1973, and Section 22 of the Local Government etc (Scotland) Act 1994.

14. Dissolution of Community Councils

- 14.1. A Community Council may, at any time, seek the approval of North Lanarkshire Council to wind up, provided that the decision has previously been approved by a majority of Community Council members present and voting at a meeting, the notice of which gives intention to move accordingly. It shall be a requirement that, of those members present, the number of co-opted members shall not exceed the number of elected members voting at the meeting.
- 14.2. A Community Council shall cease to exist in the event that the number of members of the Community Council selected by the election process falls and for a period of three months remains below half of the maximum number of members requiring to be so elected.
- 14.3. Where any Community Council fails to achieve a quorum for three successive meetings it shall be at the option of North Lanarkshire Council to declare dissolution.
- 14.4. In the event of dissolution of any Community Council in terms of this scheme, either as a result of a resolution passed by the Community Council to that effect, or of the failure of the Community Council over a period of 6 months to perform its duties and hold meetings as provided under this scheme, or of the number of elected Members falling and for a period of three months remaining below one half of the maximum number to be elected then and in that event, the Community Council will cease to exist.

- 14.5. In the event of dissolution, all assets of a Community Council will be transferred to and be the absolute property of North Lanarkshire Council.

Head of Legal and Democratic Solutions

APPENDIX 1

Name of Community Council	Approximate Electorate as at 1 September 2015	Boundaries (area on map*)
Abronhill and Arns	6,651	
Allanton and Hartwood	1,436	
Auchinloch	647	
Balloch and Eastfield	4,018	
Banton and Kelvinhead	466	
Bargeddie	2,293	
Bellshill	12,302	
Blackwood and Craiglinn	2,584	
Blairhill	3,407	
Cairnhill	4,415	
Calder	4,277	
Calder Valley	3,214	
Calderbank	1,275	
Caldercruix	1,995	
Cambusnethan	4,512	
Carbrain and Hillcrest	4,018	
Carfin	1,565	
Carrickstone	2,179	
Castlecary	227	
Central Coatbridge	3,413	
Central Wishaw	7,473	
Chapelhall	4,883	
Chapelside	1,563	
Chryston	3,550	
Clarkston	3,125	
Cleland	2,999	
Cliftonville	2,614	

Name of Community Council	Approximate Electorate as at 1 September 2015	Boundaries (area on map*)
Coatdyke	427	
Coltness	4,753	
Condorrat	5,226	
Craigmarloch	1,635	
Craigneuk	2,659	
Croy	864	
Dullatur	950	
Forgewood	2,826	
Gartcosh	1,744	
Gartlea	3,516	
Gartness	221	
Glenboig	2,317	
Glencairn	3,940	
Glenmavis	3,205	
Golfhill, Burnfoot and Commonside	1,174	
Greenfaulds and Luggiebank	2,405	
Greengairs	1,040	
Harthill and Eastfield	2,198	
Holehills, Rawyards and Thrashbush	3,364	
Holytown	3,569	
Kildrum	3,145	
Kilsyth	7,754	
Kirkshaws	3,126	
Kirkwood	3,269	
Ladywell	5,236	
Langloan	2,035	
Longriggend	295	
Monkland Glen	1,142	

Name of Community Council	Approximate Electorate as at 1 September 2015	Boundaries (area on map*)
Moodiesburn	5,455	
Mossend	4,251	
Muirhouse and Flemington	5,635	
Netherton and Gowkthrapple	3,690	
New Stevenston	5,547	
Newarthill	3,219	
Newmains and District	5,010	
North Calder (Craigneuk, Dunrobin, Petersburn etc)	5,631	
North Motherwell	3,615	
Old Monkland	3,453	
Overtown and Waterloo	2,290	
Plains	2,055	
Queenzieburn	461	
Salsburgh	1,300	
Seafar and Ravenswood	3,263	
Shawhead	2,120	
Shotts	6,430	
Stepps and District	4,920	
Tannochside	12,021	
Townhead	3,413	
Village	1,299	
Westerwood	1,007	
Westfield	1,693	
Whifflet	1,896	
Whinhall	3,416	

* Copies of the Community Council boundary maps are available at Legal and Democratic Solutions, Civic Centre, Windmillhill Street, Motherwell ML1 1AB.

Name of Community Council	Maximum No. of Authorised Persons with Voting Powers	Maximum No. to be Elected	Maximum No. to be Co-opted
Abronhill and Arns	25	17	8
Allanton and Hartwood	15	10	5
Auchinloch	14	9	5
Balloch and Eastfield	20	13	7
Banton and Kelvinhead	12	8	4
Bargeddie	17	11	6
Bellshill	30	20	10
Blackwood and Craiglinn	17	11	6
Blairhill	19	13	6
Cairnhill	21	14	7
Calder	21	14	7
Calder Valley	18	12	6
Calderbank	15	10	5
Caldercruix	16	11	5
Cambusnethan	21	14	7
Carbrain and Hillcrest	20	13	7
Carfin	15	10	5
Carrickstone	16	11	5
Castlecary	12	8	4
Central Coatbridge	19	13	6
Central Wishaw	25	17	8
Chapelhall	22	15	7
Chapelside	15	10	5
Chryston	19	13	6
Clarkston	18	12	6
Cleland	18	12	6
Cliftonville	17	11	6
Coatdyke	12	8	4
Coltness	22	15	7
Condorrat	22	15	7

Name of Community Council	Maximum No. of Authorised Persons with Voting Powers	Maximum No. to be Elected	Maximum No. to be Co-opted
Craigmarloch	15	10	5
Craigneuk	17	11	6
Croy	14	9	5
Dullatur	14	9	5
Forgewood	18	12	6
Gartcosh	15	10	5
Gartlea	19	13	6
Gartness	12	8	4
Glenboig	17	11	6
Glencairn	20	13	7
Glenmavis	18	12	6
Golfhill, Burnfoot and Commonsides	14	9	5
Greenfaulds and Luggiebank	17	11	6
Greengairs	14	9	5
Harthill and Eastfield	16	11	5
Holehills, Rawyards and Thrashbush	19	13	6
Holytown	19	13	6
Kildrum	18	12	6
Kilsyth	26	17	9
Kirkshaws	18	12	6
Kirkwood	18	12	6
Ladywell	22	15	7
Langloan	16	11	5
Longriggend	12	8	4
Monkland Glen	14	9	5
Moodiesburn	23	15	8
Mossend	21	14	7
Muirhouse and Flemington	23	15	8
Netherton and Gowkthrapple	19	13	6
New Stevenston	23	15	8

Name of Community Council	Maximum No. of Authorised Persons with Voting Powers	Maximum No. to be Elected	Maximum No. to be Co-opted
Newarthill	18	12	6
Newmains and District	22	15	7
North Calder (Craigneuk, Dunrobin, Petersburn etc)	23	15	8
North Motherwell	19	13	6
Old Monkland	19	13	6
Overtown and Waterloo	17	11	6
Plains	16	11	5
Queenzieburn	12	8	4
Salsburgh	15	10	5
Seafar and Ravenswood	19	13	6
Shawhead	16	11	5
Shotts	24	16	8
Stepps and District	22	15	7
Tannochside	30	20	10
Townhead	19	13	6
Village	15	10	5
Westerwood	14	9	5
Westfield	15	10	5
Whifflet	16	11	5
Whinhall	19	13	6

MEMBERSHIP FORMULA

ELECTORATE	MAXIMUM NO. OF MEMBERS (ELECTED AND CO-OPTED)
500 or less	12
1,000	14
1,500	15
2,000	16
2,500	17
3,000	18
3,500	19
4,000	20
4,500	21
5,000	22
5,500	23
6,000	24
7,000	25
8,000	26
9,000	27
10,000	28
11,000	29
12,000 plus	30