

REPORT TO: COMMUNITIES COMMITTEE - 20 FEBRUARY 2006

REPORT ON: SCOTTISH EXECUTIVE CONSULTATION ON THE ROLE OF COMMUNITY COUNCILS

REPORT BY: DIRECTOR OF LEISURE AND COMMUNITIES

REPORT NO: 38-2006

1.0 PURPOSE OF THE REPORT

1.1 This report brings together Dundee City Council's response to the Scottish Executive's Discussion Paper on the Role of Community Councils.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee comments on and agrees Dundee City Council's response to the Scottish Executive's Discussion Paper on the Role of Community Councils.

3.0 FINANCIAL IMPLICATIONS

3.1 This consultation exercise has no financial implications.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 The revised Scheme for the Operation of Community Councils empowers Dundee citizens to participate in decision-making, take collective actions with others and engage in the political process and representation of interests. Dundee City Council's response to the questions posed by the Scottish Executive would, if accepted, further enhance these processes.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 Community Councils encourage Dundee citizens to participate in community life regardless of race, colour, gender, sexuality, age, class, ethnic or religious beliefs, basic skills, disability, trade union activity or employment status.

5.2 Dundee City Council's response to the questions posed by the Scottish Executive would, if accepted, support Community Councils to ascertain and represent the views of all sections of the community.

6.0 BACKGROUND

6.1 Community Councils form the most local tier of statutory representation in Scotland. They were created by the Local Government (Scotland) Act 1973 and are intended to bridge the gap between local authorities and local communities and to help to make local authorities and other public bodies aware of the opinions, needs and preferences of the communities that they represent. The 1973 Act required local authorities to introduce Community Council Schemes for their area and gave them a fairly large degree of freedom to tailor their Scheme to the particular circumstances of their area.

6.2 The primary purpose of Community Councils is to ascertain and express the views of the community which they represent. In addition to their primary role, many Community Councils involve themselves in a wide range of other activities including fundraising; organising civic and charitable events; in some parts of Scotland they maintain footpaths and cycle ways; and provide and maintain flower beds and hanging baskets; etc.

6.3 Dundee City Council is committed to ensuring that local communities are consulted on and are able to influence decisions and policies of local authorities and other public bodies, such as police forces and NHS, which affect their area. This extends both to the development of their area and the way in which services are delivered to them.

The role of Community Councils is very much in line with Scottish Ministers' statutory duty to promote and encourage Community Planning as the key over-arching framework to improve the planning and provision of services. Community Planning promotes the involvement of communities in the decision making process on local services such as health, education and transport. Citizen engagement can make a real difference to the quality and responsiveness of services in their area and Community Councils can play a pivotal role in this regard.

7.0 COMMUNITY COUNCILS REVIEW

7.1 The Scottish Executive produced the discussion paper "What Can We Do To Help Community Councils Fulfil Their Role" in October 2005. This is not a consultation paper, rather it is the first stage of the process of reviewing the current Community Councils system by seeking views and feedback on a number of matters relating to the activities of Community Councils, their effectiveness and their role as the most local tier of democratically elected representation in Scotland. The focus of the review is on what steps can be taken to support Community Councils in their role as representative bodies for their area, and what can be done to improve operational effectiveness.

8.0 DUNDEE CITY COUNCIL'S RESPONSE TO THE SCOTTISH EXECUTIVE'S DISCUSSION PAPER

Dundee City Council's response to the key questions posed by the Scottish Executive in their discussion paper is detailed as follows:

8.1 The Legislative Framework

8.1.1 Community Council Schemes

The current definition of the purposes of Community Councils is appropriate, as is the legislation relating to the adoption and amendment of Community Council Schemes.

Dundee City Council suggest there should be a degree of consistency between local authorities Community Council Schemes in key areas such as eligibility and membership with sufficient flexibility for local authorities to produce schemes which reflect local circumstances.

Dundee City Council would welcome Scottish Executive guidance on the development of Community Councils.

8.1.2 Multi-Member Wards

Dundee City Council suggest local authorities should be encouraged to fit their Community Council boundaries into the new multi-member electoral wards to facilitate constructive and effective elected member engagement.

8.1.3 Structure and Focus

Dundee City Council suggest that Community Councils could be given the option of becoming a corporate structure with legal status - such as a company limited by guarantee to give them the ability to attract and manage funds and assets.

Dundee City Council recognises that some Community Councils want to become more action orientated within the local democratic, community planning and regeneration processes and that the ability to access additional resources could make them more effective in this role.

8.2 The Electoral Process and Diversity

8.2.1 Community Council Elections

To form a Community Council in Dundee, a petition is required containing a minimum of 20 signatures from local residents within the Community Council's boundaries. A system for nominations is then agreed and if there are more nominations than places available, an election is carried out by secret ballot. This rarely happens in Dundee. If the number of nominations is less than the number of places available, nominees are duly elected.

The Dundee Scheme designates a number of places for local organisations to become "associate" members with voting rights.

Dundee City Council currently oversees the process of Community Council elections, providing logistical support, and maintaining consistent quality standards.

Community Council elections take place every four years in Dundee, with provision available to hold elections outwith this time period in certain circumstances.

Dundee City Council suggest that the current period of office of four years for Community Councillors should remain in line with local authority elections with annual general meetings used for the election of office bearers.

8.2.2 Election Development and Interest

Dundee City Council has given some attention to the implementation of the McIntosh Reports' recommendation to improve electoral arrangements for Community Councils, although more focus has been placed on developing new groups rather than increasing voter turn out for established groups.

Dundee City Council recognises that, within existing resources, not much more can be done beyond what is already in place to improve voter turn out.

Dundee City Council and local people have been proactive in canvassing for new members and for the establishment of new Community Councils.

More could be done to raise awareness of the benefits of becoming a member of the local Community Council, should additional resources become available.

All Community Councils in Dundee have used the local newspaper and local libraries to publicise their meetings.

Dundee City Council recognises the right for other groups to form and take on the role of Neighbourhood Representative Structures. A city-wide network has been established in Dundee to help these groups work together with the Community Councils.

8.2.3 Co-option

Dundee City Council's Scheme for the Operation of Community Councils makes provision for co-options and this is written into all Community Council constitutions.

Co-option has been successfully used by Community Councils in Dundee to get more people involved and to make sure that all areas within the Community Council's boundaries are represented.

In Dundee, Community Councils have tended not to use co-option to harness specific knowledge or expertise. However, consultants have been employed to advise Community Councils on specific areas of expertise and it is felt that this is an area which could be further developed.

8.2.4 Involving Young People

Community Councils in Dundee have attempted to involve young people in their work with limited success. Young people in Dundee have said that they are put off by formal meetings. Dundee City Council suggest that examples of good practice and training on this subject should be explored with Community Councils.

8.3 Community Councils Interaction with the Community, the Local Authority and other Stakeholders

8.3.1 Raising Awareness

In Dundee, Community Councils have all used meetings, newsletters, events, fayers, community newspapers, consultation events, questionnaires, websites and postal panels to seek the views of the communities they represent.

8.3.2 Consultation and Information Sharing

Community Council meetings in Dundee are open and well publicised and meeting minutes are widely circulated and made publicly available

Issues of common concern are addressed by the City Wide Network of Community Councils and Neighbourhood Representative Structures (Community Neighbourhood Representative Structure).

Community Councils would benefit from being included on all relevant and appropriate mailing lists to ensure better sharing of information.

In Dundee, systems and processes have been established to assist Community Councils to respond to fairly immediate requests for information/consultation papers through designated workers, planning secretaries and the city wide networking group. Dundee City Council also proactively consults through planning secretaries on Community Councils and through the Dundee City Council website. Most Community Councils currently receive a list of planning applications and a dialogue is open between Community Councils and the relevant Council Departments.

Community Planning partners proactively consult on issues relating to the Dundee Community Plan, Local Community Plans and Community Learning and Development Plans.

Community Councils do not suffer from consultation overload, in fact more consultation has been requested. Local Community Engagement Strategies have been developed across all 7 of Dundee City Council's Decentralisation Areas to enable joined-up community engagement.

8.3.3 Engagement and Representation

A joined-up approach to community engagement has been encouraged in Dundee through the development of local community engagement strategies.

Community Councils engage on issues of local concern with Police, Councillors, voluntary representatives, MPs and MSPs during their monthly open meetings.

Community Councils are represented on the Dundee Community Planning Partnership and have been involved in the development of local community plans through local Neighbourhood Partnership Networks.

8.4 Funding Support and Training

8.4.1 Funding

Dundee City Council provide support and advice on funding issues from Dundee City Council.

Community Councils receive an Administration Grant based on an amount per capita plus a fixed sum. They are also entitled to apply for Special Project Grants of up to £500 annually.

Funding has not had an effect on the ability of Community Councils to carry out their functions.

8.4.2 **Support**

Dundee City Council provide training and advice as well as designated worker support to Community Councils.

Dundee Voluntary Action also provide support to local voluntary groups such as Community Councils. Some of the groups are aware of the support available through the Association of Scottish Community Councils (ASCC). Local area Community Regeneration Forums also provide support to some of the Community Councils which sit within these boundaries. The Community Neighbourhood Representative Structure provides support through the city-wide network of community groups.

The immediate point of contact within Dundee City Council for Community Councillors is the local Community Officer who provides day to day operational support. Strategic support is provided through the Regeneration Section Leader and Neighbourhood Development Worker.

The Community Council network disseminates good practice through the annual training programme and seminars.

8.4.3 **Training**

Training is provided through Dundee City Council which offers a twice yearly needs led training programme open to all Community Councillors and Neighbourhood Representative Structures.

More specific training is available on demand and it is recognised that new members would benefit from an induction pack.

Community Councillors have expressed that they are confident and have adequate knowledge, skills and training. However, it is acknowledged that more can always be done to improve the ability and capacity of Community Councillors.

8.5 **Code of Conduct**

Community Councils in Dundee are covered and bound by a standard code of conduct contained within the Scheme for the Operation of Community Councils which must be reflected within individual Community Council constitutions.

Dundee City Council suggest that there is no need for a Scotland-wide statutory Code of Conduct for Community Councillors as these matters are best dealt with at a local area level. However, Scottish Executive Guidance in this area would be welcomed as would information-sharing between different local authority areas. Breaches of the code of conduct should be investigated by the local authority; there is not a case for a national standards commission.

8.6 **National Issues for a National Association**

8.6.1 **Issues of National Concern**

Dundee City Council suggest that matters of national interest should be pursued by individual Community Councils at a local area level and be discussed and taken forward through local and national networks, which can also be used to disseminate good practice.

Community Council network groups have an important role to play in discussing and taking action on issues of national concern in order to strengthen the voice of local Community Councils in the process of local democracy.

8.6.2 **Association of Scottish Community Councils (ASCC)**

The ASCC is viewed as an umbrella body for Community Councils in Scotland which provides information and support for effective operation at a local area level. The ASCC is also viewed as means of campaigning on issues of national concern.

The Community Council liaison officer attends the ASCC AGM. All parties involved subscribe to the newsletter.

Not all Community Councils are affiliated to the national body but those who have joined the Association found the ASCC newsletter to be of benefit in providing relevant and useful information

Greater exposure of the work carried by the ASCC and the benefits of joining would encourage more Community Councils to join.

9.0 CONSULTATION

9.1 The Community Neighbourhood Representative Structures have been consulted in the preparation of this report. Dundee's Community Councils have been given the opportunity to comment on the discussion paper separately.

9.2 The Chief Executive and the Depute Chief Executives (Finance and Support Services), Assistant Chief Executive (Community Planning) together with the Directors of Housing, Education, Planning & Transportation, Economic Development and Social Work have all been consulted in the preparation of this report.

10.0 BACKGROUND PAPERS

"What Can Be Done To Help Community Councils Fulfil Their Role", Scottish Executive, October 2005.

Dundee City Council's "Revised Scheme for the Operation of Community Councils", October 2002.

Signed: Stewart Murdoch
Director of Leisure and Communities

Date: 10 February 2006