

**REPORT TO: NEIGHBOURHOOD RESOURCES AND DEVELOPMENT COMMITTEE -  
10 JUNE 2002**

**REPORT ON: DRAFT SCHEME FOR THE OPERATION OF COMMUNITY COUNCILS**

**REPORT BY: DIRECTOR OF NEIGHBOURHOOD RESOURCES AND DEVELOPMENT**

**REPORT NO: 504-2002**

## **1.0 PURPOSE OF REPORT**

1.1 This report seeks approval for a new Draft Dundee City Council Scheme for the Operation of Community Councils and agreement to proceed with formal public consultation.

## **2.0 RECOMMENDATIONS**

It is recommended that:

2.1 the Draft Scheme is approved as the Draft Dundee City Council Scheme for the Operation of Community Councils. Copies of the Draft Scheme are available in the Members Lounge.

2.2 the Draft Scheme is advertised in the local press and the public are invited to make representations on any matter relating to its content.

2.3 the public consultation period shall be in accordance with the terms of Section 22(3) of the Local Government etc (Scotland) Act 1994 ie not less than eight weeks from the date of public notice.

## **3.0 FINANCIAL IMPLICATIONS**

3.1 The new Draft Scheme allows for the payment of an annual grant, for administrative purposes, to each Community council. If Community Councils are established in every area, the sum of £4,859 will be required in the financial year 2002/2003. Allowance has been made such expenditure within the Department's 2002/2003 Revenue Budget.

## **4.0 ENVIRONMENTAL IMPLICATIONS**

4.1 None.

## **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 The new Draft Scheme includes provision for the age of eligibility for a Community Councillor to be reduced to 16 years of age.

## **6.0 BACKGROUND**

6.1 Since the present Scheme was adopted on 12 May 1997 a maximum of seven Community Councils have been established out of a possible seventeen. At present there are four Community Councils but with only three active.

6.2 The present Scheme has not attracted the support of the majority of communities it was designed to serve. Particular Community Council areas such as Lochee and Downfield and District are too large and the membership structure does not encourage a broad spread of community involvement, especially from local representative groups and organisations.

6.3 Young people are not well represented in Community Councils.

6.4 There is some uncertainty relating to the role and responsibilities of Community Councils and Community Councillors. Clarification is required to enable both to operate effectively.

## **7.0 MAIN TEXT**

- 7.1 The new Draft Scheme introduces several key changes to address the above issues.
- Creation of nineteen Community council areas. The existing Downfield and District area is subdivided into the new areas: (a) Downfield and Brackens and (b) Kirkton. The existing Lochee area is sub-divided into (a) Lochee and (b) Charleston.
  - The Community Council membership structure is changed to allow for the appointment of members from local community organisations.
  - The age of qualification to be an elected member is changed from 18 to 16.
  - A preface to the Scheme clarifies the role of Community Councils in relation to other representative groups. Clauses 2.2 and 2.3 clarify the purpose of Community Councils and the impartiality of their representative role.
  - Arrangements relating to Community Council meetings including quorums are added.
  - A Code of Conduct for Community Councillors has been developed to provide guidance to Community Councillors. The Code is based on the Statutory National Code of Local Government Conduct for Local Authority Councillors and on the Third Report of the Nolan Committee on Standards in Public Life (Appendix 1).

## **8.0 CONSULTATION**

- 8.1 This new Dundee City Council Draft Scheme for the Operation of Community Councils has been prepared, following intensive consultation with existing Community Councils, representatives of neighbourhood and community organisations and a formal eight-week consultation period.
- 8.2 The new Draft Scheme takes into account representation made during the formal consultation period and also proposals put forward at the “Giving Voice To Communities” Seminar held in 27 October 2001.
- 8.3 The new Draft Scheme seeks to recognise the contribution of local community organisations and allows for the nomination of community organisation representatives to each Community Council.
- 9.0 The Chief Executive, Directors of Finance and Support Services have been consulted in the preparation of this Report.

## **10.0 BACKGROUND PAPERS**

- 10.1 No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any extent in preparing the above Report.

Director of Neighbourhood Resources and Development \_\_\_\_\_

Date \_\_\_\_\_

**DUNDEE CITY COUNCIL**  
**CODE OF CONDUCT FOR COMMUNITY COUNCILLORS**

**INTRODUCTION**

This Code should guide the conduct of Community Councillors.

It is your responsibility to make sure that you are familiar with this Code and that your conduct complies with it.

This code is based on the statutory National Code of Local Government Conduct for local authority Councillors and on the Third Report of the Nolan Committee on Standards in Public Life.

Failure to comply with this code may result in your being suspended or banned from serving as a Community Councillor

**1. PUBLIC DUTY AND PRIVATE INTEREST**

Your duty as a Community Councillor is to the whole local community served by your Community Council.

If you have any private interest in a matter before your Community Council, you should consider whether it is appropriate for you to declare this interest and to withdraw from discussion and decision-making on that matter.

In considering this, you should have regard to the following criteria:

- a) That members of the public might reasonably think the private interest could influence you.
- b) That members of the public might reasonably think the private interest creates a real danger of bias on your part because it affects you or someone connected with you more than any other person or more than the generality of other persons affected by the matter.

In the case of a private interest that meets neither of these criteria, there may be no reason to declare the interest or to take any further action.

In the case of a private interest that meets criterion A but not criterion B you should declare your interest but you may decide to participate in discussion and decision making on the matter.

In the case of a private interest that meets criterion A and B, you should declare your interest and withdraw from discussion and decision-making.

If you have a private interest which meets both criteria A and B and if this private interest is of a continuing nature, it may be that it would cause you to withdraw from the consideration of business so frequently that you would be of little value to your Community Council. In this case, you should not seek to serve as a Community Councillor.

Private pecuniary interests may be more likely to be of a nature that meets the above criteria but private non-pecuniary interests may also meet these criteria. The fundamental principle to bear in mind is that you should not do anything that you cannot justify to the public in the terms of this Code.

## **2. GIFTS AND HOSPITALITY**

You should treat with extreme caution any gift, favour or hospitality that is offered to you personally. The person or organisation making the offer may be doing, or seeking to do business with the Community Council or may be applying to the Community Council for some kind of decision or recommendation.

You are personally responsible for all decisions in this regard and for avoiding the risk of damage to public confidence in the Community Council. The offer or receipt should always be reported to the Secretary of the Community Council.

## **3. DEALINGS WITH THE CITY COUNCIL**

If you have dealings with the City Council on a personal level, you should never seek or accept preferential treatment, by virtue of your position as a Community Councillor, for yourself or for anyone personally connected with you. You should also avoid placing yourself in a position that could lead the public to reasonably believe you are receiving such treatment.

## **4. DEALINGS WITH THE PRESS, PUBLIC AND ELECTED REPRESENTATIVES**

If you have dealings with the press and members of the public, you should be careful to distinguish between any expression of your own views and opinions and any statement you may make about the position of the Community Council.

In your dealings with elected representatives (councillors, MPs, MSPs, MEPs etc), it is important that you should do nothing which could reasonably be interpreted as a sign of political bias. For example, where more than one elected representative may have an interest in a particular subject matter which you wish to raise on behalf of the Community Council, you should contact all elected representatives who may have an interest and not just those of a particular political party.

## **5. USE OF EXPENSES, ALLOWANCES AND FACILITIES**

You should always make sure that any expenses, allowances, or facilities provided for use in your duties as a Community Councillor are used strictly for those duties and for no other purpose.

## **6. APPOINTMENTS TO OTHER BODIES**

You may be appointed or nominated by your Community Council as a member of another body - for instance a voluntary organisation. You should always observe this Code in carrying out your duties on that other body in the same way that you would with regard to your Community Council.

## **CONCLUSION**

The practical application of these rules is a matter for your judgement but, if in any doubt as to how they should be applied, you should seek advice from the Chairperson of your Community Council or from an officer of the City Council.

As well as avoiding actual misconduct, you should avoid any appearance of misconduct. Your conduct and what the public believes about your conduct will affect the reputation of your Community Council.