

Agenda Item	3
Report No	HC/1/19

HIGHLAND COUNCIL

Committee: The Highland Council

Date: 16 January 2019

Report Title: **Review of the Highland Scheme of Establishment for Community Councils 2018/19**

Report By: Acting Head of Policy

1. **Purpose/Executive Summary**

- 1.1 Community Councils are created and governed through a Scheme of Establishment which is developed by each Local Authority. Local Authorities must periodically review the Scheme for their area. This paper sets out the process for review and the initial engagement which has been undertaken between August and December 2018 with Community Councils to help inform the review.
- 1.2 As per the requirements within the Local Government (Scotland) Act 1973, the paper asks Members to agree to a formal review of the Scheme and sets out a series of draft proposals to amend the Scheme. The draft proposals are based on the feedback from Community Councils during the initial phase of engagement. Members are being asked to agree to a set of proposals which will then be published for public consultation. Members will have an opportunity to review the feedback from the consultation and make amendments to the draft proposals prior to a final period of public consultation. Members will be asked to agree final changes to the Scheme at a Special Meeting of the Council in June.

2. **Recommendations**

2.1 Members are asked to:

- Agree to the formal review of the Highland Scheme of Establishment for Community Councils as required under section 53 of the Local Government (Scotland) Act 1973
- Agree to the draft proposals outlined in Section 4 of the report and in appendices 1-3
- Note that a three month consultation will take place seeking public views on the draft proposals and seeking any further representations for amendments to the Scheme
- Agree that the areas outlined at section 4.11.6 are included as part of the Council's response to the Local Governance Review.

3. Background and Process for Review

- 3.1 Community Councils are created and governed through a Scheme of Establishment which is developed by each Local Authority. The Highland Scheme is based on the Scottish Government model Scheme and sets out the parameters under which Community Councils are to operate. The current Scheme of Establishment for Highland came into effect in 2011, with a short review in 2013.
- 3.2 The current Scheme commits the Council to a review within each Local Government cycle and it is timely to do this when the role of Community Councils is being discussed more widely through the Scottish Government and COSLA's Local Governance Review. A number of elements the Scheme review is focusing on are within the current legislative framework and within the Council's own power to amend or introduce. However, by reviewing the Scheme alongside the Local Governance Review, any proposals or suggestions that emerge that would require a legislative change, could then be considered for inclusion as part of the Council's response to the Governance review.
- 3.3 The process for any review of the Community Council Scheme is set out in section 53 of the 1973 Local Government (Scotland) Act. The Council is required to undertake a two stage process:
- Stage 1 – the formal decision to review, and the outline proposals, needs to be passed by not less than two-thirds of members voting at a special meeting of the Council convened specifically for that purpose. Public notice is then given of the intention to review along with details of the proposals, with Community Councils and the public invited to make representations regarding the proposals.
 - Stage 2 - the Council will consider any representations made and may amend the scheme in accordance with—
 - the notified proposals; or
 - those proposals as amended to take account of any such representations.

However, should the proposals be amended following representations received during stage 1, then further public notice shall be given and an opportunity for the public to comment on the amended proposals.

The final decision to amend the Scheme needs to be passed by not less than two-thirds of members voting at a special meeting of the Council convened for that purpose.

- 3.4 To ensure that the proposals considered by Members at the Special Council meeting are reflective of what Community Councils would identify as priorities, a pre-phase of engagement began in August 2018. This included:
- A survey to all Community Councils between August and November
 - 13 drop-in sessions for Community Councils across Highland during September
 - A workshop session for all Community Councils on Saturday 24 November
 - Discussions on potential boundary or Scheme changes with Members in Ward Business Meetings

- 3.5 To support the review, a Steering Group was established, comprising of Area Chairs and a Community Council representative from each local committee area; with two for Ross and Cromarty given the geographical size.
- 3.6 This report sets out the feedback received during the initial phase of engagement and the draft proposals which have developed as a result of this feedback. Members are asked today to formally agree to the review – as required under the 1973 Local Government Act – and to consider and agree to a set of proposals for formal public consultation.

4. Initial Engagement

- 4.1 The pre-phase of engagement focused on three key areas
- Reviewing the boundaries
 - Reviewing the Scheme – including role, elections, membership, code of conduct and funding
 - Local Governance Review – including the key questions from Governance review that could help inform the review of the Scheme and the Council's response to the Government/COSLA's review
- 4.2 Feedback was received through the four strands of engagement:
- Community Council Survey
 - 92 separate responses were received covering 67 Community Councils – 48 from individual Community Councillors and 44 on behalf of the Community Council
 - Community Council Workshop
 - 45 delegates attended from 42 separate Community Councils
 - 13 drop-in sessions for Community Councils
 - Members through discussions held in ward business meetings.
- 4.3 A summary of the feedback and accompanying proposals for change can be found for each topic below. Members are being asked to consider the proposals, make any amendment and agree a final set of proposals for public consultation. The consultation will seek views on these proposals but there will be opportunity for the public to suggest any further amendments or changes to the Scheme. For each proposal, it is noted where in the accompanying Scheme document (appendix 1) the proposed change can be found.
- #### **4.4 Reviewing the Boundaries**
- 4.4.1 Any review of a Scheme provides the opportunity to review the boundaries of Community Councils and to consider whether these still make sense given changes in population. However, it is also an opportunity to consider the sustainability of Community Councils. Since the last full Community Council elections in November 2015, there have been 76 interim elections for Community Councils. One of the key questions posed to Community Councils during the initial phase of engagement was whether a change in structure/boundary could assist in helping to support the operation of their Community Council.

- 4.4.2 The majority of Community Councils were content with the size and boundaries of their Community Councils. It was noted that they represented natural communities, that they would struggle to attract members if they were any larger and that for a number, they already cover a large dispersed population. The majority responding noted that they do not struggle with trying to attract membership and for those who did, they did not believe that mergers or boundary changes would help. The initial engagement also asked about setting a minimum population size for Community Councils and this was not supported.
- 4.4.3 There were a small number of representations received regarding boundaries. In the main these are small amendments to align geographies or settlements, although there have been proposals received to merge two sets of Community Councils and also to split a further two Community Councils.

4.4.4 Proposal 1 – Boundary Changes

Appendix 2 sets out the boundary changes proposed as part of this review of the Scheme, including the rationale for the proposed changes. Maps illustrating these changes can be found on the Council's website at www.highland.gov.uk/schemereview. For the purpose of public consultation, these proposed amendments are contained within the Scheme document at section 4.1. Community Council boundaries cannot be changed without consultation and so Members are being asked to agree today that these go forward for public consultation. This period of consultation would also allow for any further boundary proposals to be received.

4.5 **Reviewing the Scheme**

The initial engagement focused on 5 aspects of the Scheme which we have received comments or representations on from Community Councils in recent years. These were:

- Membership
- Elections
- Code of Conduct/Complaints Procedure
- Finance
- Role of Community Councils

4.6 **Membership**

- 4.6.1 In addition to the question about the geographic size of Community Councils, another way in which to increase the sustainability of Community Councils would be to consider current eligibility and membership. The initial engagement asked a range of questions regarding potential changes to membership.

4.6.2 *Membership levels*

Almost 90% of survey respondents reported that their membership number – the size of their Community Council – was 'about right'. There was no desire to reduce or increase the number further. A small number felt that the number was too low and had reduced involvement in the Community Council. There was also strong support for the existing level of quorum, currently set at 4, noting that this enabled adequate representation and challenge. Accordingly, there are no proposals to amend the membership size of Community Councils or the quorum level.

4.6.3 *Eligibility*

Community Councils were also asked about extending the eligibility to stand for the Community Council to those living outwith the Community Council area. There was not support for this suggestion with many emphasising the importance of living in an area to understand the area. Alternative suggestions were made however regarding the continuation of membership during the term of office if someone moves out of an area, extending the proportion of members that can be filled by co-option and enabling a Community Council to continue with co-opted members if the number of elected members falls below half as long as a quorum was reached. These form the basis for proposals set out below:

4.6.4 Proposal 2 - Moving Outwith the Area

At present, as soon as a Community Councillor moves outwith the area, they must cease being a Community Councillor for that community. It is proposed to enable that member (whether elected or co-opted) to continue until the next round of interim elections. (Scheme 6.1.3 and 11.1)

4.6.5 Proposal 3 - Co-opted Members and Abeyance

At present when the number of elected Community Councillors falls below half, the Community Council falls into abeyance until the next interim election, even if there are sufficient co-opted members to reach the quorum. It is proposed to amend the Scheme to enable Community Councils to continue to operate until the next set of interim elections as long as quorum is still met. (Scheme 6.2.6).

4.6.6 Proposal 4 - Increasing Co-option

At present, Community Councils are only allowed to co-opt up to a third of their total membership. This is to ensure that the balance remains in favour of elected members. However it leaves many Community Councils with spare places that they cannot fill e.g. a membership of 9, 5 elected but can only co-opt three. It is proposed to amend the Scheme to allow Community Council to co-opt up to their total membership number, but with a maximum of 4 co-opted members. This ensures the balance would remain in favour of elected members. (Scheme 6.2.6, 6.3 Const. 7.1)

4.6.7 *Additional Membership*

Community Councils were asked about providing places on the Community Council for key groups within the community as a way of building local links and strengthening membership. Feedback suggested there was not support for such places if they replaced existing membership numbers. Views on whether additional places should be made available were divided and discussion at the workshop day highlighted that associate membership already provides a mechanism for additional places and that this was helpful. It was noted that greater awareness could be made of this role.

Proposal 5 – Associate Membership

It is proposed to amend the Scheme to formally state under associate membership that Community Councils should consider at their first meeting which local groups they may wish to consider offering associate membership status to. (Scheme 5.2 Standing Orders 4.1)

4.6.8 *Youth Membership*

There was strong support for formalising youth membership. It was suggested that it would be a positive way to hear youth voices, to focus on youth issues and to build links with schools. There was some scepticism about whether there would be interest, however, in the main; it was felt it sent a clear message regarding the importance of including youth. The workshop feedback was clear that these places should be additional and with full voting rights.

Proposal 6 – Youth Membership

It is therefore proposed to amend the Scheme to allow two additional places for 14-18 year olds. They will have full voting rights, with the exception of co-option, and will not count towards the total established membership of the Community Council. Individuals will be identified through High Life Highland and the local High School and individuals can serve for up to two years. These places will be optional for Community Councils. (Scheme 5.7)

4.7 **Elections**

4.7.1 The initial engagement asked for views about exploring the way in which people are selected to serve on a Community Council. Recent research has suggested that one way in which to increase interest and involvement in Community Councils could be to select people by ballot to serve for a defined period, in a similar way to jury service. There was little support for this suggestion, with concerns that this would undermine the democratic process and that people would not engage in such a process if they were compelled to do so. This would have required a legislative change and given the lack of support, it is not suggested that this is something the Council should pursue.

4.7.2 The review also asked whether an electronic ballot should be introduced for elections. The majority of Community Councils were in favour of this, provided it was not the sole method, noting that this could help to increase interest and participation, particularly amongst younger people. It was highlighted however that appropriate security measures would be required. Currently, there are not the processes in place to enable this to be actioned however there is support for such a proposal if this could be taken forward within existing costs.

Proposal 7 – Electronic Ballot

It is proposed to amend the Scheme to enable elections to be carried out by electronic ballot should this technology be available and cost effective. (Scheme 6.2.5)

4.8 **Code of Conduct/Complaints**

4.8.1 There have been a number of issues raised in recent years by Community Councils, regarding the status of the current Code of Conduct and the need for a complaints procedure with sanctions attached to it. The feedback from the initial engagement suggested the majority would be supportive of a complaints procedure being introduced. Comments suggested that this would provide accountability and transparency should complaints arise, although some concerns were raised that Community Councillors were volunteers.

4.8.2 This was discussed further at the workshop; particularly in regard who should oversee such a process and whether it should include sanctions such as the removal of a Community Councillor. Feedback showed strong support for a code of conduct with sanctions but that this should be independent of the Council both in terms of maintaining the relationship and true independence of process. Given that this is not within the current legislative framework, it is recommended that this should be included within the Council's response to the Local Governance Review.

4.8.3 Proposal 8 – Code of Conduct

Community Councils did note however the importance of the current Code of Conduct and adherence to that, particularly around declaration of interests. It is therefore proposed to amend the Scheme to include within Community Council Standing Orders and Order of Business that the start of each meeting should including recording declaration of interests alongside membership present and apologies received. (Standing Orders 4.1)

4.9 **Finance**

4.9.1 The current Scheme states that the grant shall be a core amount, and an amount per head of population. There has been a differentiation made between the core amount for rural and for urban Community Councils. At present this means that those Community Councils with larger populations receive larger grant amounts. The Community Council administrative grant was reduced as a result of the budget saving in February 2018. The existing formula set out in the Scheme continued to be used to distribute the grant however this review provides the opportunity to review the parameters of the formula.

4.9.2 Community Councils were asked several questions regarding the existing formula; whether there should be a standard core amount, whether there should be additional amounts for geography/rurality or population, whether there should be a defined list of spend and whether payments should be made retrospectively. There was little support for retrospective payments, citing the difficulties this would give to Community Councils operationally and views were also divided on the defined list of spend. Community Councils noted that as the grant amount was small this was not necessary and also the issue of trust was important.

4.9.3 The majority were in favour of a core amount for all Community Councils noting that there were similar spending levels on core items such as hall hire, meeting expenses, secretarial honorariums that were not location or population dependent. This view was confirmed in the workshop. Feedback was also supportive of an additional allowance for rural Community Councils, noting that there were additional expenses, particularly travel costs incurred by rural Community Councils and also that there were often not the same opportunities to use public buildings as in more urban areas which also resulted in additional costs.

4.9.4 Feedback from many Community Councils reported that the grant reduction in February 2018 has resulted in many, particularly smaller rural Community Councils, struggling to now operate and cover their administrative costs. It was also noted that in the past, Community Councils had remaining monies from their grant which enabled them to take forward projects locally and that this was now proving particularly challenging. The current formula does favour those with larger populations as an additional amount is provided per head of population.

4.9.5 Proposal 9 – Financial Formula

Based on the feedback received, it is proposed that the Scheme be amended to be a core grant, with an additional amount for Community Councils serving rural communities. As with the current Scheme, the amounts would not be specified and there would be further engagement with Community Councils on what the balance on this may be once the current review is complete. (Scheme 9.6)

4.10 **Role of Community Councils**

- 4.10.1 The formal role of Community Councils is set out within the 1973 Local Government (Scotland) Act. This states that in addition to any other purpose the Community Council wishes to pursue, it is the role of Community Councils to ‘ascertain, co-ordinate and express....the views of the community which it represents.’ This definition has not been changed since then and the Council has no formal powers to amend this, however communities have changed, are doing more and Community Councils are now taking on a range of roles. It is therefore important to understand whether Community Councils believe change is needed and how their role should be articulated.
- 4.10.2 There is strong support amongst Community Councils for their existing role and definition of that role. Feedback suggests that the current definition provides flexibility, enabling them to respond to the needs of their communities and focus on issues affecting their area. Their role in planning and licensing was regarded as important, however, there was a strong feeling that the views and feedback of Community Councils were not given sufficient weight.
- 4.10.3 Community Councils were divided on the suggestion of taking on new roles, many reporting they were unsure whether this was something they would be interested in. In the main, the suggestions for new roles related to a having a greater say in certain areas or influencing decision making, rather than the direct delivery of services. This included decisions on common good spending, decisions on local spending and planning. Community Councils were also asked about evolving their role to focus more as facilitators of public views rather than representatives. Views were divided on this with concerns regarding the time and training involved, however others did report that they already performed this role and that there were opportunities to develop this further with local forums e.g. re-introducing the ward forums.
- 4.10.4 Although not emerging as a strong theme, the issue of the lack of incorporated status limiting the ability of Community Councils to be more involved in certain community projects was raised through the initial engagement. This is not something all Community Councils would aspire to having, however changing the legal status would enable those who do to take forward certain projects and own assets, which currently is not recommended due to individual liability. It is therefore recommended that the Council raises this through its submission to the Local Governance Review.
- 4.10.5 When asked specifically about decision making, there was strong support for greater involvement, particularly for areas that directly affect the local community. Many saw this as an opportunity to empower local communities, improve local understanding of budgetary challenges and improve the relationship between the Council and Community Councils. The importance of relevant information and ongoing communication and feedback were highlighted as particularly important and this also emerged as a key theme from Community Councils during the November Budget Engagement exercise.

4.10.6 Relationships were an ongoing theme throughout the initial engagement phase. The strong message from Community Councils was a desire to improve the working relationships between the Council and Community Councils. As noted above, some of this was related to communication and ensuring effective communication channels were in place through which to provide and receive feedback. However, other suggestions focused on developing mechanisms to enable better engagement between the Council and Community Councils locally and opportunities for involvement in decision making. Suggestions included:

- a closer relationship between local committees and Community Councils, with forums following on from Local Committee meetings,
- Community Councils being part of the local committee process and direct decision making,
- a re-introduction of Ward Forums or a version of these.

It is likely that any solution would vary locally and be dependent upon local circumstances.

4.10.7 Although there are many issues raised by Community Councils regarding their roles and areas that they would be interested in having greater involvement in, none of these are fundamentally additional to the role set out within the Community Council Scheme. It is therefore not proposed to make any changes to the Scheme on the definition of the role of Community Councils. However, there are clearly a number of areas which Community Councils have raised that require further exploration. These mirror the feedback from the budget engagement and a number of the commitments in the Council Programme regarding how decisions are made locally and improving engagement and involvement with our communities. Further work is required to explore how this may be taken forward and an initial opportunity will be at the Member Seminar on 16th and 17th January 2019.

4.11 **Local Governance Review**

4.11.1 Phase 1 of the Local Governance Review, sought views from communities on:

- do communities want to be in more control;
- does it mean communities having a stronger voice when decisions about them are taken;
- is it about having the powers and resources to use as they think best; and
- how could this be made to work locally?

As part of the initial engagement for the review of the Community Council Scheme, it was felt important to ask Community Councils for their views on the key questions forming the Governance Review. These views would increase the Council's understanding, support any submission to the review the Council makes and the feedback from Community Councils could be (and has been) shared with the Scottish Government and COSLA. The following summarises the feedback from Community Councils:

4.11.2 *Experiences of decision making*

Feedback from Community Councils suggested that most feel they are consulted but that their views are not listened to. It was suggested that there should be more feedback and dialogue within any process and that consultation should begin earlier. It was suggested there needs to be more localised decision making and that at present there is a feeling of powerlessness and not feeling valued. Where

experiences were positive, the feeling of involvement was crucial and positive working relationships were key.

4.11.3 *Control of decisions*

Similar to the responses received on the question of Community Council roles, the majority of Community Councils were interested in having more control over some decisions or being involved in decision making. This was across a wide area of Council services such as planning, roads, management of public spaces, waste, traffic management/parking but with a focus on local matters. Feedback also suggested support for greater involvement in other public services which do not currently have to consult or involve Community Councils on a statutory basis e.g. adult health and social care, policing, environmental issues. There was a clear distinction made between being in control of decisions and running services which, with some exceptions, the vast majority of Community Councils did not show an interest in. Where there was interest, sufficient resources were emphasised as key.

4.11.4 *Structures for local decision making*

The suggestions from Community Councils were focused on better use of existing structures for decision making rather than the creation of new ones. It was suggested that there was an opportunity to raise the status and role of Community Councils in local decision making within existing structures and cementing their role within local democracy. There were some views that existing structures do need to change, with a greater focus on local and a reduction in layers of decision making. There was support not just for being more involved in Council decision making but also other public bodies and playing a greater role in Community Partnerships and approaches that impact locally.

4.11.5 The feedback from Community Councils around the Governance Review supports the general findings from the review of the Scheme, namely that Community Councils are supportive of greater involvement in decision making and having a say on local spending. The majority of Community Council are not however suggesting significantly changing their role but supporting greater involvement and improving the relationship with the Council. Feedback does not suggest that there is any strong support from Community Councils to create new structures or provide them with greater powers locally. The changes suggested, can be met within the existing powers and structures currently in place.

4.11.6 However, there have been changes suggested to the current legislative context through this Review and should be included as part of the Council's response to the Local Governance Review. These are:

- Code of Conduct and support for a complaints process that is independently overseen
- Changing the legal status of Community Councils to provide them with incorporated status
- Providing Community Councils with a more formal role as statutory consultees for other areas of public service e.g. adult health and social care, policing, environmental issues.

4.12 **General Scheme Amendments**

- 4.12.1 As with any documentation, points of clarification have been asked for where different interpretations of the Scheme could be made or where the intention is unclear. A review of the Scheme provides the opportunity to amend these. Appendix 2 sets out a proposed list of general amendments to the Scheme and the reference within the Scheme itself.

5. **Next Steps**

- 5.1 Members are being asked today to agree to the draft proposals outlined in section 4 and in appendices 1-3 for public consultation. This consultation will last for three months. Community Councils and members of the public will have the opportunity to comment and submit representations on the draft proposals and also submit any further amendments to the Scheme, on both boundaries and the Scheme documentation. The feedback will be reviewed by the Community Council Steering Group and any proposed changes will be considered by the May meeting of the Council prior to a final period of public consultation on the amendments. Members will be asked to agree to a revised Scheme at a Special Meeting of the Council in June. The new Scheme is proposed to commence from the November 2019 elections.
- 5.2 As noted above, it is proposed there is separate engagement with Community Councils on the distribution of the Community Council grant. It is proposed this takes place following any agreed changes to the formula parameters for distribution as set out in the Scheme. Any changes would then be introduced in April 2020.
- 5.3 The feedback from Community Councils on the Local Governance Review is summarised at section 4.11. The proposals as a result of this feedback are set out at paragraph 4.11.6 and members are asked to agree to these being included in the Council's response to the Local Governance Review.
- 5.4 A clear message which has emerged through the initial engagement on the Scheme review and also through the November budget engagement has been the desire from Community Councils to change the nature of the relationship with the Council. This is both to improve communication but also to be more involved and engaged in decision making at a local level. As set out in 4.10.7, this will require separate discussion and there is a clear local dimension to what that may look like in different communities across Highland. Day 1 of the Member January Seminar will provide an initial opportunity to discuss this further.

6. **Implications**

- 6.1 Resource – the current Scheme is being reviewed within existing resources. There are no additional resources to support any new or additional activity. The budget for administrative grants to Community Councils is £88,000 and this was reduced as part of the budget setting process for 2018/19.
- 6.2 Legal – The Council has a legal duty to periodically review the Scheme of Establishment for Community Councils and the current Scheme commits the Council to doing this within each Local Government cycle.

- 6.3 Community (Equality, Poverty and Rural) – Part of the proposed amendments to the Scheme considers how to improve youth engagement within Community Councils. The initial engagement has also considered how to support and sustain smaller Community Councils in rural communities. The draft Scheme will be subject to an assessment of community impacts prior to finalising.
- 6.4 Climate Change / Carbon Clever – there are no direct implications as a result of this report.
- 6.5 Risk – The Council is required to review the Community Council Scheme within each Local Government cycle.
- 6.6 Gaelic – there are no direct implications as a result of this report.

Author: Alison Clark, Acting Head of Policy

Date: 4 January 2019

Background papers:

Appendix 1:

2018/19 Review: Highland Scheme of Establishment for Community Councils
– Consultation Version

Appendix 2:

2018/19 Review: Boundary Proposals

Appendix 3:

2018/19 Scheme Review – Proposed General Scheme Amendments



COMMUNITY COUNCILS IN HIGHLAND

Scheme Review 2018-19

This document outlines the proposed changes as part of the Review of the Highland Community Council Scheme 2018-19. All proposed changes are in italics and, for ease of reference and the purpose of consultation, contained within a text box similar to this.

Introduction

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government (Scotland) Act, 1994, which produced the current system of unitary Local Authorities, made provision for the continuation of Community Councils. Under the legislation, every local community in Scotland is entitled to petition their Local Authority to establish a Community Council in their area.

Community Councils in each Local Authority area are created through a Scheme of Establishment and each Scheme sets out the framework through which Community Councils are to operate.

This Scheme is based upon the model Scheme published by the Scottish Government in March 2009 for use by Local Authorities. The Scheme encompasses a suite of documents which include:

- Standard Community Council Constitution (appendix 3)
- Standard Community Council Standing Orders (appendix 4)
- Code of Conduct for Community Councillors (appendix 5)
- ~~Standard financial report format (appendix 6)~~
- ~~Standard election documentation (appendix 7)~~

These documents are designed to support the operation of Community Councils across the Highland area.



Scheme for the Establishment of Community Councils in Highland

*Scheme Review 2018/19
Consultation Version 1*

1. Background

- 1.1 The Highland Council, in accordance with the terms of Section 22 of the Local Government (Scotland) Act 1994, has adopted the following Scheme for the Establishment of Community Councils.

~~within The Highland Council area and has revoked the eight former Schemes made by the former District Councils, and adopted by Highland Council upon its formation in 1996, with effect from 1st April 2011. —~~

- 1.2 *This current version of the Scheme was reviewed in 2018/19 under the terms of the Local Government (Scotland) Act 1973. It was agreed by a Special Meeting of the Council on XXX and will come into effect on XX November 2019.*

2. Statutory Purposes

- 2.1 The statutory purposes of Community Councils established under this Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows:

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“In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of

the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable”

3. The Role and Responsibilities of Community Councils

3.1 General Role

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 The Highland Council, other public sector bodies and private agencies on matters within their sphere of interest.

Community Councils have key roles in consultations on planning applications and liquor licence applications.

Planning:

- Community Councils will be consulted on the submission of planning applications for proposed developments that are categorised as being of national or major scale or of significance to the community. Community Councillors may also be invited to attend events held by applicants to inform members of the community about the development proposed prior to submission of a planning application. Community Councils may also request to be consulted on specific applications once the application has been submitted.
- Once a planning application is submitted it will be recorded on the weekly list of applications and the e-planning website compiled by the planning authority and made available to Community Councils. If the Community Council wishes to be consulted on an application not directly referred to it by the planning team, it must timeously contact the planning officer concerned.
- To support Community Councillors in this role, the Council will make efforts to brief Community Councillors on new planning legislation when it is

enacted. Community Councillors should make themselves available to attend such training sessions where reasonably possible.

Licensing:

- From time to time the Licensing Board will also consult on policy issues and will notify Community Councils of all new premises licences and major variation applications.

Community Councils may be consulted on any other matters by The Highland Council, other public sector bodies and private agencies. Community Councils are expected to

get involved in local activity to engage and understand community views such as community planning activity.
~~participate in community planning arrangements at a local level such as Ward Forums.~~

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 the Establishment of Community Councils, hereinafter respectively referred to as 'the Scheme'.

As set out at section 15 of the Community Council Constitution, property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices as Trustees of the Community Council.

There should be mutual engagement in the establishment of working relationships with The Highland Council and other agencies.

3.2 Responsibilities

In carrying out their activities Community Councils and their members must at all times adhere to the law and to the terms of the Council's Scheme, their Constitution and Standing Orders and the Community Councillors' Code of

Conduct (Appendix 5).

After the 31st March 2011 but before the end of June 2011, each Community Council is required to:

Adopt the Constitution at Appendix 3 as approved by The Highland Council and based upon the Model Constitution. This is to encourage and maintain consistency for all Community Councils and ensure that each Community Council is appropriately regulated. Any Community Council's Constitution which is not exactly in terms of Appendix 3 is required to be approved by Highland Council. Any changes to the Constitution of a Community Council must be approved by The Highland Council.

Adopt the Model Standing Orders at Appendix 4 in order to ensure that the proceedings of each Community Council is properly structured, that items of business relevant to the community are properly debated and decisions reached in a democratic manner.

Note the terms of the Code of Conduct for Community Councillors at appendix 5 of this Scheme.

Each Community Council is required to

..adopt Highland Council's Child Protection Policy for Community Groups, where the Community Council intends to involve children in its activities.

Each Community Council has a duty to:

Maintain proper financial records in accordance with standard financial reporting format

at Appendix 6 provided to Community Councils,

subject to a minimum of a cashbook, bank statements, invoices and/or receipts. It is also expected that written financial reports will be presented at each Community

Council meeting. Standard templates for presenting financial information at the year end must be used.

Inform the community of the work and decisions of the Community Council by posting agendas and minutes of meetings in public places, such as libraries, websites and notice boards.

Ensure that the Community Council is accessible by the wider community and, subject to the provisions contained within Data Protection Legislation, make available contact details of Community Council office bearers.

3.3 Equalities

Communities Councils must comply with equal opportunities legislation that makes it unlawful to discriminate against persons or groups on the grounds of race, gender, gender recognition, disability, age, sexual orientation, and religion or belief.

Community Councils should consider, in particular, how they can contribute towards promoting equality on the basis of the above named grounds, whether in relation to their role advising on planning applications, running community facilities, improving the quality of life through local community safety projects, ensuring meetings are held in accessible venues or otherwise.

Community Councils should recognise and value diversity in their membership and in their communities, and ensure that equality of opportunity be given to every residents to have their knowledge, opinion, skill and experience taken into account.

3.4 Representing the Community

Community Councils have a duty under statute to represent the views of their local community. It is essential that these views are demonstrated to be representative of the community and that they reflect the broad spectrum of opinion and interests of all sections of the community.

In order to fulfil their responsibilities to be effective and representative, Community Councils: -

- Should be aware of the National Standards for Community Engagement available on the Scottish Government website, the link to the document at the time of publishing this Scheme being: <http://www.voicescotland.org.uk/>
- Shall identify, in consultation with The Highland Council, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community.
- Will make particular efforts to encourage young people and other under-represented groups to attend or participate in Community Council meetings and to ensure equality of opportunity in the way the Community Council carries out its functions.
- Shall seek to broaden both representation and expertise by promoting the Associate Membership of the Community Council of persons for specific projects/issues.

4. Community Council Areas within The Highland Council Area

4.1 The Highland Council has produced a list of named Community Council areas and a map or maps that define its boundaries. Detailed maps of these areas can be found on The Highland Council's website or through the appropriate local office.

As part of the 2018/19 Scheme review, the following proposed amendments are made to existing boundaries. Maps illustrating these changes can be found at www.highland.gov.uk/schemereview Any changes to boundaries agreed as part of the Review consultation will be reflected in the maps which accompany the Scheme.

Community Council:	Boundary Proposal:	Rational
Smithton & Culloden	Split into two new CCs	Two distinct communities and communities with large population growth

Highland Scheme for the Establishment of Community Councils

Cradlehall and Westhill CC and Balloch CC	Amend north east boundary between Cradlehall and Weshill with Balloch	Take into account recent development
Beaully	Include The Braes to the north and Wyndhill to the east as these communities are both serviced from Beaully and have active community members	Minor adjustment
Sinclairs Bay	Move Staxigoe and Papigoe to Wick	Communities have links with Wick – request of CC as has struggled to form
Sinclairs Bay	Combine remaining part with part of Dunnet & Canisbay to the east of ward boundary	Has shared East coast and A99 links – CC has struggled to form
Dunnet & Canisbay	Section in Wick Ward to combine with Sinclairs Bay	Has shared East coast and A99 links and Sinclairs Bay has struggled to form
Dunnet & Canisbay	Section in in Thurso Ward to combine with Castletown and Bower	Has shared West coast and links with Dunnet Sands
Castletown	Combine with Bower and the West of Dunnet and Canisbay	Has shared links
Bower	Combine with Castletown and the West of Dunnet and Canisbay	Has shared links
Fort William	Combine with Inverlochty and Torlundy	Request from Community
Inverlochty & Torlundy	Combine with Fort William	Request from Community
Mallaig	split and form new CC in Inverie and Knoydart	Local request. No links in recent years between communities
Sheildaig	Merge with Torridon and Kinlochewe	Request from Sheildaig

5. Membership of Community Councils

5.1

~~Membership numbers of Community Councils shall vary across the area however, from the date set by Highland Council for Community Council elections in November 2011 in terms of section 6.2.1 of this Scheme,~~

The minimum membership level of a Community Council shall be seven and the maximum thirteen. The formula for determining individual Community Council membership levels from November 2011 will be as follows:

- Each Community Council shall have a core membership of 7
- Each Community Council shall have one additional member per thousand of population up to the stated maximum
- In any Community Council area where the population density is less than the Highland average of 9.1 residents per square km, that community council shall have one additional member, subject to the maximum of thirteen members not being exceeded
- No Community Council shall have a membership greater than the maximum permitted membership of 13

The membership numbers for each Community Council based on the latest available population figures at the time this Scheme was drafted are set out at Appendix 2.

~~For Community Councils already in existence at 1st April 2011 it is accepted that the membership already in place may not comply with the membership formula set out in this section. Any Community Council existing at 1st April 2011 and having a membership not complying with the formula in this section may continue with membership as it existed prior to 1st April 2011 until the election of that Community Council in November 2011. For the avoidance of doubt any appointment of new members to fill casual places/vacancies in the period between 1st April and the November election date will be carried out in accordance with this Scheme. Furthermore, the quorum in terms of section 7.3 of this Scheme, section 11.1 of the Constitution at appendix 3 and section 3 of the Standing Orders at appendix 4 shall, until November 2011 election date will~~

~~be calculated in accordance with section 7.3 of this Scheme, 11.1 of the Constitution and 3 of the Standing Orders.~~

5.2 No person shall vote in a Community Council election or stand for election as a Community Councillor unless he or she is named in the electoral register

~~or supplementary electoral register~~

and will have attained the age of 16 years on the date fixed by The Highland Council for the Community Council election.

5.3 Community Councillors and candidates for Community Council membership must reside within and be named on the electoral register

~~or supplementary electoral register~~

for the particular Community Council area.

5.4 Provision shall be made for non-voting Associate and Ex-Officio Membership as set out below. Such persons will not be counted in terms of meeting a quorum, or towards the total number of Community Council members.

5.5 *Associate Members*

Associate members, who need not be resident within the Community Council area, may be appointed by a majority vote of a Community Council where there is considered to be a need for individuals with particular skills or knowledge.

Associate members shall have no voting rights on the Community Council.

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 whichever is the shorter. Associate members may include representation from other constituted local voluntary organisations and persons under the age of 16.

At the first meeting of a Community Council following an election, consideration should be given whether to grant associate membership to key groups within the community, such as parent councils, development trusts etc., to broaden membership and strengthen links within the community.

5.6 Ex-Officio Members

~~From the date fixed by Highland Council for Community Council elections in November 2011,~~

Members of The Highland Council and members of the Scottish, United Kingdom and European Parliaments shall be ineligible to remain or become Community Councillors, or to stand for election to a Community Council.

~~Any member of The Highland Council, Scottish, United Kingdom or European Parliament who is a Community Councillor at the date of introduction of this Scheme may remain as a Community Council member until the date set for election in terms of section 6.2.1 hereof.~~

Members of the aforementioned bodies whose wards or constituencies fall wholly or partly within the geographical area of the Community Council, shall be deemed ex-officio members of the Community Council. Ex-officio members shall have no voting rights on the Community Council.

5.7 Youth Membership

Each Community Council is able to appoint two youth members between the ages of 14-18. The appointment shall be made in liaison with the local High School and Youth Work Service. These members shall be in addition to the total membership of each Community Council but will be considered as full members of the Community Council. They will have full voting rights, with the exception of co-option and will be appointed for a two year term.

6. Community Council Elections

6.1 Eligibility

6.1.1 Only individuals

~~aged over 16 and~~

resident in the Community Council area and named in the Electoral Register or Supplementary Electoral Register for that area may stand for election to a Community Council or vote in a Community Council election.

~~6.1.2 A supplementary electoral register will be compiled for 16 and 17 year-olds to~~

~~support their participation.~~

6.1.3 Any Community Councillor who no longer resides within that Community Council area or whose name has been removed from the electoral register for that Community Council area, will

... only be eligible to remain as a Community Councillor until the date of the next Community Council elections, whether interim or full, regardless of whether the creation of the vacancy triggers an election.

~~be deemed to have resigned from that Community Council on the date on which he or she ceased to be resident in the Community Council area or the date on which his or her name was removed from the electoral register for that area, whichever is the earlier.~~

6.2 ***Nominations and Elections***

6.2.1 *Background*

The first elections to be held under this Scheme shall be held during November

~~2019-2014~~ on a date or dates to be fixed by The Highland Council. For the avoidance of doubt, apart from the filling of casual places/vacancies, no Community Council elections shall be held between 1st April ~~2019 2014~~ and the date fixed by The Highland Council for elections in terms of this section.

Subsequent elections will be held on a four-yearly-cycle, on dates to be determined by The Highland Council.

The Highland Council will administer all elections, with the exception of interim elections outlined at section 6.2.6 b.

All Community Councillors shall stand down at each *full* election but shall be eligible for re-election.

6.2.2 *Returning Officer*

The Highland Council will appoint an Independent Returning Officer. The Independent Returning Officer must not be a member of that Community Council

nor intending to stand for election to that Community Council.

6.2.3 Nominations

Candidates eligible to stand for election in terms of paragraph 6.1.1 of this Scheme should complete a Nomination Form.

~~, the style of which is set out in Appendix 7.~~

Nomination forms must be submitted to the Returning Officer by the date and time set down in the election timetable. No nomination forms submitted after that date and time will be accepted.

6.2.4 Process

On the expiry of the period for lodging nominations:

1. Should the number of candidates validly nominated equal or exceed **HALF**, but be less than or equal to the total maximum permitted membership as specified for the Community Council area in Appendix 2 of the Scheme, the said candidates will be declared elected from that date and no ballot shall be held.
2. Should the number of candidates validly nominated exceed the total maximum permitted membership as specified for the Community Council area, arrangements for a ballot shall be implemented. Each elector shall be entitled to vote for a number of candidates up to and including the number of vacancies on the Community Council.
3. Should the number of candidates elected, be below **HALF** of the total maximum permitted membership, as specified for the Community Council area, no Community Council will be established at that time. In that event, it shall be at the discretion of The Highland Council to issue a further call(s) for nominations when it is deemed appropriate.

6.2.5 Method of Election

- Elections will be run across the whole Highland Council area or devolved administrative areas, as deemed appropriate.

- All elections will be carried out by means of a postal

and/or electronic ballot

- Community Councillors shall be elected on a simple majority basis.

6.2.6 Filling of casual places/vacancies between elections

Casual vacancies on a Community Council may arise in a number of circumstances including:

- When an elected Community Councillor submits his or her resignation;
- When a member ceases to be resident in or on the electoral role for that Community Council area;
- When a member is disqualified from holding office. (Section 11).

Should a vacancy or vacancies arise on a Community Council between elections:

- the Community Council must inform the named Highland Council officer.
- Subject to the following paragraph, should the vacancy or vacancies result in the number of elected Community Councillors falling below **HALF** of the maximum permitted membership:
 - then the Community Council shall stop operating immediately until an interim election is called.

The exception to this is where, with existing co-opted members, the Community Council can still fulfil quorum requirements. In these circumstances the Community Council can continue to operate until the next interim election.

- Interim elections will be held

twice ~~three~~ times

annually on dates scheduled by The Highland Council. Any interim election will only seek to fill vacant positions or those held by co-opted members. In these circumstances the Highland Council will administer the election.

- If, following this election the Community Council fails to achieve HALF its maximum permitted membership, the Community Council will be dissolved at that time.

- If the number of elected Community Councillors falls below **HALF** of the maximum permitted membership less than six months prior to a scheduled election then there will be no interim election at that time but the Community Council *may* continue to operate with the agreement of The Highland Council but only if the number of Community Councillors remaining meet the quorum level.
- For all other vacancies, the Community Council may fill the vacancy either::
 - a) through co-option
 - ~~within the parameters set out at section 6.3. provided the number of co-opted members does not exceed one third of the total permitted membership of the Community Council.~~
 - OR**
 - b) by itself undertaking an interim postal ballot as per the standard election procedure set out earlier.

6.3 Co-option to Community Councils

- Notice of any proposed co-option of a member or members shall appear as an item on the agenda for the Community Council meeting which will be sent to all of the Community Council's members at least 7 days prior to the meeting when the matter will be decided.
- Co-opted members must be eligible for membership of the Community Council in terms of paragraphs 5.2 and 5.3 of this Scheme.
- Members cannot be co-opted on to the Community Council except by a majority of no less than two thirds of the elected (general and interim) Community Councillors present and voting.
- Co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (general and interim).

Community Councils may co-opt up to their maximum permitted membership, as long as the number of co-opted members does not exceed 4.

~~The number of co-opted members may not exceed a THIRD of the total possible Community Council membership.~~

7. Meetings

- 7.1 The first meeting of a Community Council following a Community Council election, will be called by the Returning Officer appointed by The Highland Council and will take place within 21 days of the date of the election, or as soon as practicable thereafter. The business of the meeting following the first election under this Scheme will include the adoption of the Constitution and Standing Orders set out at Appendices 3 and 4 of this Scheme. Any Community Council's constitution which is not exactly in terms of Appendix 3 is required to be approved by Highland Council. Any changes to the constitution of a Community Council must be approved by The Highland Council.
- Thereafter, the first meeting following each election, and each interim election, will include the appointment of office bearers and any outstanding business matters from the outgoing Community Council.
- 7.2 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. The annual general meeting shall be held before the end of June.
- 7.3 The quorum for Community Council meetings shall be 4 voting members of the Community Council.
- 7.4 An outline for the content of business that Community Councils should adhere to when holding ordinary, special and annual general meetings is contained within the Standing Orders.

8. Liaison with The Highland Council

- 8.1 In order to facilitate the effective functioning of Community Councils, The Highland Council will identify a named officer to act as a Liaison Officer with each Community Council. Unless there is a specific agreement or an issue is a specific departmental issue, all correspondence between The Highland Council and the Community Council should, in the first instance, be directed through the named

Highland Council Officer.

- 8.2 Community Councils may make representations to The Highland Council and other public and private agencies, on matters in which it has an interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate Highland Council official. On issues where a Highland Council service is consulting with Community Councils, representations should be made to the appropriate service officer.
- 8.3 Community Councils will present draft minutes of Community Council meetings to The Highland Council via its named officer normally within 14 days from the date of that meeting taking place. Meeting agendas will be distributed 7 days prior to the date of the meeting. Draft minutes and agendas will be circulated to Community Council members (including ex officio members who were present or express an interest and associate members), and the named Highland Council Officer.
- 8.4 Community Councils will inform The Highland Council of any change in membership (including resignations, Co-options, Associate Membership, Office Bearers etc.) and the circumstances of these changes, as soon as is practicable.

9. Resourcing a Community Council

- 9.1 The financial year of each Community Council shall run from 1st April each year to 31st March in the succeeding year. A certified financial report (as detailed in section 9.2 of this Scheme) will be presented to the Community Council's annual general meeting and a copy submitted to The Highland Council before the end of June each year in the prescribed format

set by The Highland Council. set out at Appendix 6 of this Scheme.

- 9.2 The Financial Report of each Community Council shall be independently examined and certified by at least one examiner appointed by the Community Council, who is not a member of that Community Council and has no personal or professional relationship with the Treasurer. A copy of the certified financial report

shall be submitted for approval at the Community Council's annual general meeting and immediately thereafter a copy shall also be forwarded to the appropriate named Highland Council officer.

- 9.3 The appropriate named Highland Council officer may at his or her discretion, and in consultation with the Council's Chief Financial Officer, require the Community Council to produce such of its financial records - cashbook, bank statements, invoices and/or receipts records - as may be required to verify the financial statement.
- 9.4 Each Community Council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.
- 9.5 Each Community Council shall be eligible to apply for grants or funding in kind for suitable projects through The Highland Council's grant system.
- 9.6 The Highland Council shall provide an administrative grant to Community Councils for the purpose of assisting with the operating costs of the Community Council. The use to which the grant is put will be clearly identified in the minutes and shown in the Community Council's financial records. The grant shall be fixed at a minimum flat rate of £ **(to be determined by The Highland Council)** with an additional
- amount (to be determined by The Highland Council) to reflect those serving rural and sparsely populated communities.*

~~minimal p. per head of population.~~
- 9.7 The Highland Council shall facilitate advice and assistance to Community Councils and arrange for the establishment of a training programme for Community Councils on the duties and responsibilities of Community Council office bearers, the role of Community Councils, the functions of The Highland Council and other relevant topics.

9.8 In election year, all Community Councils are required to ensure their accounts are up to date and a mid-year balance is taken prior to the election.

10. Liability of Community Councillors

10.2 It is the responsibility of the Community Council to have appropriate insurance cover for all assets of the Community Council, for the actions of the Community Council and for the actions of individual Community Councillors while acting as such. Advice on this can

only be obtained directly from the Insurers. ~~The Highland Council.~~

10.1 A local scheme of insurance liability and property cover is available through the

Highland Council's Insurers. ~~Highland Council's Insurance Manager.~~

The insurance liability cover, in standard terms,

should be requested directly from the Insurers. This cannot be done on the organisation's behalf.

~~will become effective no later than the end of the next business day following the Community Council requesting insurance cover~~

~~The Highland Council.~~

Insurance cover not in standard terms will be granted on a discretionary basis and may take longer to obtain.

10.3 Property and other assets belonging to the Community Council shall be vested in the Chair, Secretary and Treasurer of the Community Council and their successors in these respective offices as Trustees for the Community Council.

11. Disqualification of Membership

11.1 As per paragraph 6.1.3, any Community Councillor who no longer resides within that Community Council area and/or whose name has been removed from the electoral register for that Community Council area is

... only be eligible to remain as a Community Councillor until the date of the next Community Council elections, whether interim or full, regardless of whether the creation of the vacancy triggers an election.

~~deemed to have resigned from that Community Council on the date on which he~~

~~or she ceased to be resident in the Community Council area or the date on which his or her name was removed from the electoral register for that community council area, whichever is the earlier.~~

This excludes associate members appointed to the Community Council and ex-officio members.

11.2 *If a Community Councillor does not attend a Community Council meeting for 6 consecutive months the Community Councillor will be disqualified from office; unless at the first opportunity after the 6 months period has elapsed the Community Council agree by majority that the absence is reasonable in all the circumstances. Disqualification under this rule will not prevent the CC from standing at the next election.*

~~If any Community Councillor fails throughout a period of six consecutive months to attend a meeting, he or she will, unless the failure is due to some reason approved by the Community Council, cease to be a member of the Community Council.~~

12. **Establishment of Community Councils Under this Scheme**

12.1 Where it has been resolved by The Highland Council that an existing Community Council shall continue to operate within existing boundaries, then with effect from

provisionally XX November 2019 (election day)

said Community Council shall be required to operate within the terms of this Scheme.

12.2 Any funds, assets and liabilities pertaining to any existing Community Councils as at

provisionally XX November 2019 (election day)

whose boundaries shall be substantially changed or amended shall transfer proportionately to any new Community Councils covering their area. The division of funds, assets and liabilities between the new Community Councils will be made on an equitable basis and if agreement cannot be reached, The Highland Council shall be the final arbiter.

- 12.3 Details outlining when the first elections under this Scheme will take place are found in section 6 of this Scheme.
- 12.4 Notwithstanding the above, where a Community Council is not formed or has formed and been dissolved in terms of section 13 below, should twenty or more electors wish the establishment or re-establishment of a Community Council for that area, these electors shall submit a requisition to The Highland Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which The Highland Council shall arrange for elections to be held in accordance with section 6 of this Scheme.
- 12.5 Once established under this Scheme a Community Council shall conduct itself in accordance with the provisions of this Scheme.

13. Dissolution of a Community Council

- 13.1 If the Community Council by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. Not less than ten days prior to the date of such meeting a public notice will be published in the Community Council area giving intention of the proposal to dissolve. If the resolution is supported by a majority of those persons present and qualified to vote, and is subsequently approved by The Highland Council, the Community Council shall be deemed to be dissolved and all assets remaining, subject to the approval of The Highland Council, after the satisfaction of any proper debts or liabilities shall transfer to The Highland Council who shall hold same in Trust for a future Community Council representing that area. Upon transfer, and the submission of a satisfactory, certified financial report, the potential liabilities of members and officers of the former Community Council are extinguished.
- 13.2 In the event that the Community Council is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a Community Council for the area, these electors shall submit a requisition to The

Highland Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with this Scheme.

13.3 Where for any reason, the number of Community Councillors falls below **HALF** the maximum permitted membership in this Scheme The Highland Council may, by suspending the Constitution of the Community Council, cause the Community Council to be dissolved and in this event, the procedures for the establishment of a new Community Council, identified in section 13.2, shall apply for the establishment of a new Community Council.

13.4 Notwithstanding the above terms, should a Community Council fail to hold a quorate meeting for a period of 3 consecutive prescribed meeting dates, The Highland Council may take action to dissolve that Community Council or instigate a Special Meeting.

14. Review of the Scheme of Establishment for Community Councils

14.1 This Scheme supersedes the previous Scheme set out under the Local Government (Scotland) Acts. The revocation of that Scheme is without prejudice to the validity of all decisions reached and implemented under it.

14.2 The Highland Council will review this Scheme of Establishment for Community Councils in Highland in each Local Government electoral cycle.

14.3 This will not preclude, where necessary, minor amendments to this Scheme in the intervening years. Minor amendments will require the approval of The Highland Council and would be considered annually at the Council meeting in June.

Boundary maps are available on Highland Council website.

2018/19 Scheme Review

To be updated following any agreed boundary changes and with the most recent population figures.

Community Council Membership Numbers*

Caithness Sutherland and Easter Ross

Community Council	Total Community Council Membership
Alness	13
Ardgay and District	8
Ardross	8
Assynt	9
Balintore and Hilton	8
Berriedale and Dunbeath	8
Bettyhill, Strathnaver and Altnaharra	8
Bower	8
Brora	8
Caithness West	9
Castletown	8
Creich	9
Dornoch	9
Dunnet and Canisbay	9
Durness	8
Edderton	8
Fearn	7
Golspie	8
Halkirk	9
Helmsdale	8
Inver	7
Invergordon	10
Kilmuir and Logie Easter	8
Kinlochbervie	8

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
6014	11.9	505.3	7	6	0
654	570.7	1.1	7	0	1
485	235.6	2.1	7	0	1
1031	552.6	1.9	7	1	1
1171	12.4	94.5	7	1	0
536	347.4	1.5	7	0	1
397	596.3	0.7	7	0	1
476	72.6	6.6	7	0	1
1766	188.8	9.4	7	1	0
1825	254.9	7.2	7	1	1
1512	66.8	22.6	7	1	0
1048	395.9	2.6	7	1	1
2522	150.9	16.7	7	2	0
1558	183.0	8.5	7	1	1
312	522.3	0.6	7	0	1
377	89.5	4.2	7	0	1
556	18.2	30.5	7	0	0
1651	69.5	23.8	7	1	0
1665	409.3	4.1	7	1	1
867	601.6	1.4	7	0	1
382	18.7	20.4	7	0	0
3953	24.1	164.0	7	3	0
1863	85.4	21.8	7	1	0
409	240.2	1.7	7	0	1

*Highland Scheme for the Establishment of Community Councils
Appendix 2*

Community Council	Total Community Council Membership
Lairg	8
Latheron, Lybster and Clyth	9
Melvich	8
Nigg and Shandwick	7
Rogart	8
Saltburn and Westwood	7
Scourie	8
Sinclairs Bay	8
Strathy and Armadale	8
Tain	11
Tannach and District	7
Tarbat	7
Thurso	13**
Tongue	8
Watten	8
Wick	13

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
936	508.3	1.8	7	0	1
1261	149.8	8.4	7	1	1
343	252.7	1.4	7	0	1
382	32.2	11.9	7	0	0
469	427.8	1.1	7	0	1
421	0.7	602.1	7	0	0
226	345.2	0.7	7	0	1
1471	83.5	17.6	7	1	0
207	231.6	0.9	7	0	1
4132	58.4	70.8	7	4	0
929	92.9	10.0	7	0	0
734	23.7	31.0	7	0	0
7353	5.1	1441.8	7	7	0
559	411.7	1.4	7	0	1
678	132.4	5.1	7	0	1
6807	7.7	884.0	7	6	0

**Total Membership permitted is 13

Ross, Skye and Lochaber

Community Council	Total Community Council Membership
Acharacle	8
Applecross	8
Ardgour	8
Arisaig	8
Aultbea	8
Avoch and Killen	8
Ballachulish	7
Broadford and Strath	9
Caol	10
Coigach	8
Conon Bridge	8
Contin	7
Cromarty	7
Dingwall	12
Dornie And District	8
Dunvegan	8
Duror and Kentallen	8
Ferintosh	9
Fort William	11
Fortrose and Rosemarkie	9
Gairloch	9
Garve and District	8
Glencoe and Glen Etive	8
Glendale	8
Glenelg and Arnisdale	8

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
573	221.8	2.6	7	0	1
211	195.9	1.1	7	0	1
379	321.0	1.2	7	0	1
564	150.0	3.8	7	0	1
643	97.5	6.6	7	0	1
1366	32.2	42.4	7	1	0
735	42.2	17.4	7	0	0
1584	235.4	6.7	7	1	1
3053	3.6	848.0	7	3	0
254	171.4	1.5	7	0	1
1865	2.2	847.9	7	1	0
627	35.4	17.7	7	0	0
939	34.6	27.1	7	0	0
5593	12.1	462.2	7	5	0
399	404.1	1.0	7	0	1
529	99.5	5.3	7	0	1
354	52.4	6.8	7	0	1
2024	52.6	38.5	7	2	0
4890	119.2	41.0	7	4	0
2506	24.7	101.4	7	2	0
1109	170.7	6.5	7	1	1
348	611.1	0.6	7	0	1
376	328.1	1.1	7	0	1
382	102.6	3.7	7	0	1
301	219.6	1.4	7	0	1

*Highland Scheme for the Establishment of Community Councils
Appendix 2*

Community Council	Total Community Council Membership
Glenfinnan	8
Glengarry	8
Inverlochry and Torlundy	8
Killearnan	7
Kilmallie	8
Kilmuir	8
Kiltearn	8
Kinlochleven	8
Knockbain	9
Kyle	7
Kyleakin and Kyclerhea	7
Lochalsh	8
Lochbroom	10
Lochcarron	8
Lochduich	8
Mallaig	8
Marybank, Scatwell and Strathconon	8
Maryburgh	8
Minginish	8
Morar	8
Morvern	8
Muir of Ord	10
Nether Lochaber	7
Plockton and District	7
Portree	9
Raasay	8
Resolis	7
Sconser	8

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
124	187.4	0.7	7	0	1
378	521.7	0.7	7	0	1
1195	54.5	21.9	7	1	0
688	31.4	21.9	7	0	0
1819	165.5	11.0	7	1	0
374	64.2	5.8	7	0	1
1909	174.1	11.0	7	1	0
864	220.6	3.9	7	0	1
2334	47.3	49.4	7	2	0
751	7.7	97.6	7	0	0
383	41.1	9.3	7	0	0
262	29.1	9.0	7	0	1
2168	932.4	2.3	7	2	1
867	293.2	3.0	7	0	1
312	267.1	1.2	7	0	1
958	199.0	4.8	7	0	1
645	440.3	1.5	7	0	1
1381	22.3	61.9	7	1	0
521	264.0	2.0	7	0	1
283	211.0	1.3	7	0	1
374	330.1	1.1	7	0	1
3392	36.9	91.9	7	3	0
469	48.2	9.7	7	0	0
495	21.2	23.3	7	0	0
2770	129.3	21.4	7	2	0
232	73.1	3.2	7	0	1
811	50.9	15.9	7	0	0
63	45.4	1.4	7	0	1

*Highland Scheme for the Establishment of Community Councils
Appendix 2*

Community Council	Total Community Council Membership
Shieldaig	8
Skeabost	9
Sleat	8
Small Isles	8
Spean Bridge, Roy Bridge and Achnacarry	9
Staffin	8
Strathpeffer	8
Stromeferry	8
Struan	8
Sunart	8
Torridon and Kinlochewe	8
Uig	8
Waternish	8
Wester Loch Ewe	8
Western Ardnamurchan	8

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
170	108.6	1.6	7	0	1
1148	177.8	6.5	7	1	1
933	172.3	5.4	7	0	1
131	155.9	0.8	7	0	1
1578	964.6	1.6	7	1	1
503	109.2	4.6	7	0	1
1686	182.7	9.2	7	1	0
138	29.7	4.7	7	0	1
250	111.9	2.2	7	0	1
408	210.4	1.9	7	0	1
364	653.5	0.6	7	0	1
413	59.3	7.0	7	0	1
288	66.5	4.3	7	0	1
437	150.6	2.9	7	0	1
349	164.8	2.1	7	0	1

Inverness, Nairn, Badenoch and Strathspey

Community Council	Total Community Council Membership
Ardersier and Petty	8
Auldearn	8
Aviemore	10
Ballifeary	8
Balloch	8
Beauly	8
Boat of Garten	7
Carrbridge	8
Cawdor And West Nairnshire	9
Cromdale and Advie	8
Crown and City Centre	13
Croy	8
Culcabock and Drakies	10
Dalneigh and Columba	10
Dalwhinnie	8
Dores and Essich	8
Dulnain Bridge	8
East Nairnshire	8
Fort Augustus and Glenmoriston	9
Glenurquhart	9
Grantown On Spey	9
Hilton, Milton and Castle Heather	12
Holm	9
Inverness South	13

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
1967	41.1	47.9	7	1	0
1086	34.1	31.8	7	1	0
3632	198.3	18.3	7	3	0
1279	1.6	799.2	7	1	0
1514	5.1	296.9	7	1	0
1442	3.3	437.1	7	1	0
670	32.4	20.7	7	0	0
778	154.2	5.0	7	0	1
1193	200.9	5.9	7	1	1
532	165.7	3.2	7	0	1
6615	5.0	1323	7	6	0
1483	29.4	50.4	7	1	0
3426	1.4	2447.0	7	3	0
3794	1.2	3161.4	7	3	0
100	136.9	0.7	7	0	1
345	71.5	4.8	7	0	1
474	64.3	7.4	7	0	1
588	173.7	3.4	7	0	1
1129	476.9	2.4	7	1	1
2219	230.7	9.6	7	2	0
2639	71.1	37.1	7	2	0
5671	1.2	4726.0	7	5	0
2080	2.7	770.5	7	2	0
6666	17.5	380.9	7	6	0

*Highland Scheme for the Establishment of Community Councils
Appendix 2*

Community Council	Total Community Council Membership
Inverness West	9
Kilmorack	7
Kiltarlity	8
Kincraig	8
Kingussie	9
Kirkhill and Bunchrew	8
Laggan	8
Lochardil	11
Merkinch	11
Muirtown	11
Nairn West and Suburban	11
Nairn River	12
Nethy Bridge	9
Newtonmore	9
Park	9
Raigmore	8
Smithton and Culloden	13
Strathdearn	8
Stratherrick and Foyers	8
Strathglass	8
Strathnairn	9
Westhill	12

Total Population	Area (sq kms)	Population Density (Persons per sq km)	Core membership	Additional Member / 1000 population	Additional Member if pop. density < 9.1
2755	53.8	51.2	7	2	0
674	62.7	10.8	7	0	0
1491	103.3	14.4	7	1	0
716	437.0	1.6	7	0	1
1515	185.5	8.2	7	1	1
1843	48.6	37.9	7	1	0
295	525.1	0.6	7	0	1
4976	4.1	1213.6	7	4	0
4578	1.3	3521.4	7	4	0
4204	1.7	2472.9	7	4	0
4495	3.3	1362.1	7	4	0
5505	7.1	775.4	7	5	0
1068	240.0	4.4	7	1	1
1235	181.0	6.8	7	1	1
2431	0.5	4862.5	7	2	0
1386	1.0	1385.9	7	1	0
6406	6.5	985.6	7	6	0
618	427.6	1.4	7	0	1
780	382.3	2.0	7	0	1
564	680.7	0.8	7	0	1
1316	235.3	5.6	7	1	1
5616	11.2	501.5	7	5	0

The Highland Council

Community Council Constitution

1. Name

- 1.1 The name of the COMMUNITY COUNCIL shall be (referred to as “the COMMUNITY COUNCIL” in this document).

2. Area of the Community Council

- 2.1 The area of the COMMUNITY COUNCIL shall be as shown on the map for
..... Community Council attached to The Highland Council’s Scheme for the Establishment of Community Councils, a copy of which is attached hereto.

3. Objectives

- 3.1 The objectives of the COMMUNITY COUNCIL shall be:
- a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
 - b) to express the views of the community to The Highland Council to public authorities and other organisations;
 - c) to take such action in the interests of the community as appears to be desirable and practicable;
 - d) to promote the well-being of the community and to foster community spirit;
 - e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

4. Role and Responsibilities

- 4.1 In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its members shall have regard to their role and responsibilities as set out in section 3 of the Scheme for the Establishment of Community Councils, approved by The Highland Council and the Community Councillors’ Code of Conduct, hereinafter referred to as ‘the Scheme’ and ‘the Code of Conduct’ respectively.

5. Membership

- 5.1 The COMMUNITY COUNCIL'S membership is as governed by section 5 of the Scheme and set out in Appendix 2 of the Scheme.

6. Method of Election

- 6.1 Election procedures shall be governed by the method of election laid down in section 6 of the Scheme.

7. Casual Vacancies on the Community Council

- 7.1 Where a vacancy arises which does not result in the number of COMMUNITY COUNCILLORS falling below the minimum number as specified in section 6.2.6 of the Scheme, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

- a) fill the vacancy by co-option with voting rights to

up to their maximum permitted membership, as long as the number of co-opted members does not exceed 4,

~~a maximum of one third of the total membership of the Community Council~~

taking into account the exclusion of co-opted members from this process as outlined in section 8 below.

OR

- b) fill the vacancy by undertaking a postal ballot as per standard election procedure set out in section 6 of the Scheme for the Establishment of Community Councils. Any interim election however, other than when the number of Community Councillors falls below the minimum level specified, will be administered by the Community Council.

Should attempts a) and b) fail to fill the vacancy, the vacancy can be left unfilled until local public interest is expressed or until the next set of regular elections.

8. Voting Rights of Members of the Community Council

- 8.1 The right to vote at any meeting of the COMMUNITY COUNCIL or any committee thereof, shall be held by all COMMUNITY COUNCILLORS whether elected, co-opted,

or youth member,

but not by Associate, or Ex-officio members. For the avoidance of doubt, co-opted

and youth

members while otherwise holding full voting rights will not be entitled to vote on co-option of members.

8.2 With the exception of circumstances which may arise:

- under the Scheme section 6.3 relating to Co-option;
- under the Constitution section 16 Alterations to the Constitution; and
- under the Constitution section 17 Dissolution;

all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.

8.3 In the event of a vote of the Community Councillors that results in a tie, the chairperson of the meeting shall have a second and casting vote, and the use of a casting vote will be recorded in the minute of the meeting.

9. Election of Office-Bearers

9.1 COMMUNITY COUNCIL office bearers will be elected following every election (full and interim). Office bearers will also be elected at every AGM. The COMMUNITY COUNCIL shall elect a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide. The COMMUNITY COUNCIL may choose to appoint a Minute Secretary or Associate Member as a Secretary however, such individuals shall have no voting rights. In these circumstances the COMMUNITY COUNCIL must elect a Vice Chair to ensure the COMMUNITY COUNCIL has three office bearers from its membership.

9.2 All office-bearers shall be elected for one year, but shall be eligible for re-election annually. A vote of no confidence can be held in an office bearer. The procedure for this is set out in the standing orders.

9.3 Without the express approval of The Highland Council, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary, Treasurer.

10. Committees of the Community Council

- 10.1 The COMMUNITY COUNCIL may establish sub-committees and appoint Community Councillors and associate members to serve on these committees. The COMMUNITY COUNCIL shall determine the composition, terms of reference, duration, duties and powers of any sub-committee.

The decision to set up a subcommittee and any agreed decision making powers given to it must be agreed and recorded in the CC minute. A note of subcommittee decisions must be circulated at the following CC meeting.

While a person or persons not members and not eligible to be members of the Community Council may be appointed as having special expertise relevant to the purposes of the committee, such external member shall not have voting rights.

11. Meetings of the Community Council

- 11.1
- a) The quorum for COMMUNITY COUNCIL meetings shall be 4 voting members .
 - b) Once in each year, before the 30th June, the COMMUNITY COUNCIL shall convene an annual general meeting for the purpose of receiving and considering the Chairperson's annual report on the COMMUNITY COUNCIL, the submission and approval of the independently examined annual financial statement and the appointment of office bearers.
 - c) In addition to the annual general meeting, the COMMUNITY COUNCIL shall hold not less than 6 ordinary meeting throughout the year.
 - d) Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be provisionally fixed at the first meeting of the COMMUNITY COUNCIL following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 7 days public notice, either called by the Chairperson, or on the written request of not less than one-half of the total number of COMMUNITY COUNCILLORS. The named officer of The Highland Council has the discretion to call a special meeting of the COMMUNITY COUNCIL.
 - e) Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL (excluding minutes of the Annual General Meeting), but the draft minute shall be circulated normally within 14 days from the date of

that meeting, to COMMUNITY COUNCIL members and Highland Council's named officer for the COMMUNITY COUNCIL.

- f) The COMMUNITY COUNCIL shall abide by the Standing Orders for the proper conduct of its meetings. Individual Community Councillors shall abide by the Code of Conduct for Community Councillors set out in Appendix 5 of the Scheme.
- g) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a written request (petition), signed by at least 20 persons resident and eligible to vote within the COMMUNITY COUNCIL area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it locally in the manner prescribed for special meetings called by the COMMUNITY COUNCIL.
- h) In exceptional circumstances, and in accordance with

sections 1.1 and 9.1 of the Standing Orders, the COMMUNITY COUNCIL may suspend Standing Orders and discuss items of business in private. A motion to meet in private may be agreed by the Community Council either at its previous meeting or immediately prior to an item being taken. Any such motion requires three-quarters of the total COMMUNITY COUNCILLORS to be present and at least two-thirds of the Community councillors present consenting to the motion.

~~The decision to meet in private will be agreed by majority vote of the Community Council either at its previous meeting or immediately prior to the item being taken.~~

The reason to meet in private must be recorded in the minutes of the meeting at which the decision to take the matter in private was made. If a decision to take an item in private is made at the previous meeting of the Community Council, the notice of such a meeting, given to the public in the usual way; will record that an item or items are to be taken in private. Minutes of the discussion and decisions shall be taken and recorded in a manner which does not compromise the private material.

12. Public Participation in the Work of the Community Council

- 12.1 a) All meetings of the COMMUNITY COUNCIL and its committees (subject to 11.1 (h), above) shall be open to members of the public. Every effort should be made to ensure proper accessible provision for the accommodation of members of the public.
- b) The opportunity should be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chairperson.
- c) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area, and on its website where appropriate, for a minimum period of 7 days before the date of any such meeting, and, where possible, be advertised by other suitable means.

13. Information to The Highland Council

13.1 The Community Council Secretary shall, as soon as the following documents become available, send to the named Highland Council officer:

- an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting;
- minutes and agendas of all meetings;
- the annual report;
- the annual financial statement;

and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and The Highland Council. When special meetings of the COMMUNITY COUNCIL are to be held, the named Highland Council officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 7 days in advance of the meeting date.

14. Control of Finance

- 14.1 a) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by The Highland Council and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by The Highland Council in the annual Administrative Grant

for administrative and other approved purposes shall be used only as prescribed in the conditions of grant. Funds raised from other sources may be used in accordance with the terms of those funds (so long as they are consistent with the objectives of the Community Council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.

- b) The COMMUNITY COUNCIL shall open a bank account in the name of the Community Council.
- c) The Treasurer shall undertake to maintain proper financial records of the finances of the Community Council as per the standard financial templates provided.
- d) Any two of three authorised signatories, who would normally be office-bearers of the Community Council, must authorise by signature financial transactions on behalf of the COMMUNITY COUNCIL. Authorised signatories may not be members of the same household.
- e) A financial report, in the style set out

<i>by The Highland Council, in Appendix 6</i>

shall be submitted to an annual general meeting of the COMMUNITY COUNCIL for the preceding financial year, being circulated with the agenda for that meeting and shall be available for inspection at a convenient location 7 days prior to the meeting. The report shall be independently examined and certified by at least one examiner appointed by the COMMUNITY COUNCIL, who is not a member of this COMMUNITY COUNCIL and has no personal or professional relationship with the Treasurer,
- f) The financial year of the COMMUNITY COUNCIL shall be from 1st April each year until 31st March the succeeding year. The certified financial statement as received and approved by the COMMUNITY COUNCIL at the annual general meeting shall be submitted to the named Highland Council officer following approval at the Community Council's annual general meeting.
- g) In election year, all Community Councils are required to ensure their accounts are up to date and a mid-year balance is taken prior to the election.

15. Title to Property

15.1 Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices as Trustees of the Community Council.

16. Alterations to the Constitution

16.1 Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a special meeting of the COMMUNITY COUNCIL and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be published not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme.

16.2 If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL, and is subsequently approved in writing by The Highland Council, the alteration shall be deemed to have been duly authorised and can then come into immediate effect. For the avoidance of doubt unless and until the proposed alteration is approved in writing by The Highland Council, the proposed alteration shall be of no effect.

17. Dissolution

17.1 If the COMMUNITY COUNCIL by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. Not less than ten days prior to the date of such a meeting a public notice will be published in the Community Council area giving intention of the proposal to dissolve. If the resolution is supported by a majority of those persons present and qualified to vote and is subsequently approved by The Highland Council, the COMMUNITY COUNCIL shall be deemed to be dissolved and all assets remaining, subject to the approval of The Highland Council, after the satisfaction of any proper debts or liabilities shall transfer to The Highland Council who shall hold same in Trust for a future COMMUNITY COUNCIL representing that area. Upon transfer, and the submission of a satisfactory certified financial report, the potential liabilities of members and officers of the former Community Council are extinguished.

17.2 In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a COMMUNITY COUNCIL for the area, these electors shall submit a requisition to The Highland Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with this Scheme.

17.3 Where for any reason, the number of COMMUNITY COUNCILLORS falls below **HALF** the maximum permitted membership specified in the Scheme The Highland Council may, by suspending the Constitution of the COMMUNITY COUNCIL, cause the COMMUNITY COUNCIL to be dissolved and in this event, the procedures for the establishment of a new COMMUNITY COUNCIL in 17.2, shall apply for the establishment of a new Community Council.

18. Approval and adoption of the Constitution

This Constitution was adopted by COMMUNITY COUNCIL, on _____

_____	Signed:	Chairman
_____		Member
_____		Member
_____		Date

and was approved on behalf of The Highland Council on: _____

_____	Signed
_____	Designation
_____	Date

The Highland Council

Community Council Standing Orders

1. Meetings

1.1 Except where a decision is taken in accordance with section 11.1(h) of the Constitution of a Community Council in relation to specific items of business, all ordinary meetings of the Community Council shall be held in public.

1.2 **Ordinary** meetings of the COMMUNITY COUNCIL shall be held in the months of [to be entered, minimum of 6 per year].

Special Meetings may be called at any time:

- by the Chair of the Community Council;
- on the written request of not less than one-half of the total number of COMMUNITY COUNCILLORS;
- or the receipt of a common written request (petition), signed by at least 20 persons, resident within the COMMUNITY COUNCIL area and eligible to vote, to convene a special meeting for a particular matter or matters to be debated such matter or matters to be specified in accordance with section 11.1 (g) of the Community Council's constitution.

A special meeting shall be held within 14 days of the receipt of the written request made to the Secretary of the COMMUNITY COUNCIL.

An **Annual General Meeting** will be held annually between 1st April and 30th June.

1.3 The notice of ordinary, annual general and special meetings of the COMMUNITY COUNCIL, featuring the date, time and venue, shall be provided to each COMMUNITY COUNCIL member and Highland Council's named officer by the Secretary of the COMMUNITY COUNCIL, at least 7 days before the date fixed for the meeting.

2. Minutes

- 2.1 Draft minutes of the proceedings of all meetings of the COMMUNITY COUNCIL shall be drawn up normally within fourteen days from the date of that meeting, distributed in accordance with Section 8 paragraph 8.3 of the Scheme and shall, following their approval, be signed at the next meeting of the COMMUNITY COUNCIL by the person presiding thereat and retained for future reference. This excludes minutes pertaining to the Annual General meeting.

3. Quorum

- 3.1 Quorum shall be 4 voting members of the Community Council for every meeting of the Community Council.
- 3.2 In order to minimise the risk of a meeting becoming inquorate members who require to declare an interest in any item of the agenda should give notice to one of the Office Bearers.

4. Order of Business

4.1 Ordinary Meeting

The order of business at every Ordinary Meeting of the COMMUNITY COUNCIL shall be as follows: -

- a) Recording of membership present, apologies received

and any declarations of interests.

- b) The minutes of the previous ordinary meeting of the COMMUNITY COUNCIL shall be submitted for approval.
- c) Written Financial report from the Treasurer
- d) Any other item of business, which the Chairperson has directed, should be considered.
- e) Any other competent business.
- f) Questions or contributions from the public present
- g) Chairperson to declare date of next meeting and close meeting.

At the first meeting of the COMMUNITY COUNCIL after elections in the year when

elections are held, the COMMUNITY COUNCIL shall elect a Chair, Secretary, Treasurer.

At this first meeting, consideration should be given whether to grant associate membership to key groups within the community, such as parent councils, development trusts etc., to broaden membership and strengthen links within the community.

4.2.1 Annual General Meeting

The order of business at every Annual General Meeting of the COMMUNITY COUNCIL shall be as follows: -

- a) Recording of Community Council membership present, apologies received
and any declarations of interests.
- b) The minutes of the previous Annual General Meeting of the COMMUNITY COUNCIL shall be submitted for adoption.
- c) Chairperson's Annual Report (and questions from the floor).
- d) Treasurer's submission of the Financial Statement duly independently examined and certified correct (and questions from the floor). Formal adoption of the Financial Statement should be proposed and seconded.
- e) Demit of current office bearers and election of office bearers. The Community Council may, at any time, vote to make changes to their office bearers.
- f) Chairperson to declare provisional date of next annual general meeting and close meeting.

4.2.2 An Ordinary meeting of the Community Council may follow directly on from an AGM.

4.3 Special Meeting

The order of business at every Special Meeting of the COMMUNITY COUNCIL shall be as follows: -

- a) Recording of Community Council membership present, apologies received
and any declarations of interests.
- b) Business for debate, as described in the written request for the Special meeting.

- c) Chairperson to close meeting.

4.4 All Meetings

At the direction of the Chairperson, with the consent of the meeting:

- a) An item on the agenda may be taken out of order;
- b) An item not on the agenda may be considered in an emergency, provided any decision reached shall require to be retrospectively approved at the next Community Council meeting.

5. Order of Debate

5.1 The Chairperson shall decide all questions of order, relevancy and competency arising at meetings of the COMMUNITY COUNCIL and her/his ruling shall be final and shall not be open to discussion. In particular, the Chairperson shall determine the order, relevancy and competency of all questions or contributions from the public in attendance at meetings of the COMMUNITY COUNCIL raised at 4, above. The Chairperson in determining the order, relevance and competency of business and questions shall have particular regard to the relevance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chairperson shall have the power, in the event of disorder arising at any meeting, to adjourn the COMMUNITY COUNCIL meeting to a time he/she may then, or afterwards, fix.

5.2 Every motion or amendment shall be moved and seconded.

5.3 A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.

5.4 A motion or amendment which is contrary to a previous decision of the COMMUNITY COUNCIL shall not be competent within six months of that decision.

6. Voting

6.1 Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that

at an annual general meeting,

the election of office bearers may be held by secret ballot should the Community Council agree this approach.

6.2 The Chairperson of a meeting of the COMMUNITY COUNCIL shall have a second and casting vote in the event of a tie during voting.

6.3 A Community Councillor may have his or her dissent recorded to a decision of the Community Council provided that he or she has moved a Motion or Amendment and failed to find a seconder or else has taken part in a vote provided that such member asks immediately after the item is disposed of that such dissent be recorded.

6.4 A COMMUNITY COUNCIL may hold a vote of no confidence in its office bearers. An office bearer may be removed from office before the date of the next election of the COMMUNITY COUNCIL or AGM, provided that a majority of the Members of the COMMUNITY COUNCIL present and voting so decide. No proposal to remove an office bearer of the COMMUNITY COUNCIL from office shall be made without notice being given at one meeting of the COMMUNITY COUNCIL to be discussed at the following one. Once taken, a vote of no confidence shall not be competent again within six months of that decision.

7. Alteration of Standing Orders

7.1 A proposal to alter these Standing Orders may be proposed to The Highland Council at any time by the COMMUNITY COUNCIL, provided that notice of motion to that effect is given at the meeting of the COMMUNITY COUNCIL previous to that at which the motion is discussed. The Highland Council shall have final discretion on any proposed change.

8. Committees

8.1 The COMMUNITY COUNCIL may establish sub-committees and appoint Community Councillors to serve on these committees. The COMMUNITY COUNCIL shall determine the composition, terms of reference, duration, duties and powers of any sub-committee.

The decision to set up a subcommittee and any agreed decision making powers given to it must be agreed and recorded in the CC minute. A note of subcommittee decisions must be circulated at the following CC meeting.

9. Suspension of Standing Orders

- 9.1 These Standing Orders shall not be suspended except at a meeting at which at least three-quarters of the total number of COMMUNITY COUNCILLORS are present and then only if the mover states, and if called upon by the Chairperson submits in writing, the object of his/her motion and if at least two-thirds of the COMMUNITY COUNCILLORS present consent to such suspension.

10. Code of Conduct

- 10.1 All Community Councillors will pay due regard to the provisions of the Code of Conduct for Community Councillors to be found at Appendix 5 of the Scheme.
-

The Highland Council Scheme of Establishment for Community Councils

Code of Conduct For Community Councillors

Background

The Code of Conduct for Community Councillors is based largely on the Code of Conduct for Local Authority Councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

Community Councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct. The Code of Conduct and its principles, shall apply to all Community Councillors and those representing the Community Council wherever and whenever they are acting in an official capacity as Community Councillors. These principles are as follows:

- Service to the Community (Public Service)
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect

Details of the requirements under these principles are set out in Section two. Section one of the Code sets out Community Councillors' responsibilities in relation to Declaration of Interests.

SECTION ONE

Declaration of Interests

General

The key principles of the Code, especially those that specify integrity, honesty and openness, are given further practical effect by the requirement for you to declare interests at meetings which you attend. The rules on declaration of interest are intended to produce transparency in regard to interests which might influence, or be thought to influence, your actions as a community councillor.

“Interests” includes your financial interests, your non-financial interests and the interests, financial and non financial of other persons who are related to you or connected to you by means of close friendship, an employer/employee relationship or similar.

In the event that you have an “interest” as defined above in any matter, which could give rise to any person reasonably believing that you have a conflict of interest in that matter, you should declare that interest at the earliest stage possible. Where the interest is financial, you should withdraw from the meeting until discussion of the matter has concluded. Where that interest is non financial, you must make a decision as to whether to participate in the discussion. You must consider the relationship between the interest which has been declared and the particular matter to be considered.

It is your responsibility to make decisions about whether you have to declare an interest or make a judgement as to whether a declared interest prevents you from taking part in any discussions or voting. You are in the best position to assess your personal circumstances and to judge how these circumstances affect your role as a community councillor in regard to a particular matter.

In making decisions for which you are personally responsible, you are advised to err on the side of caution. You may feel able to state truthfully that an interest would no influence your role as a Community Councillor in discussion

or decision making but you must also keep in mind that the test to be applied is whether a member of the public, acting reasonably, would think that a particular interest in relation to any matter being considered by the Community Council could influence your role as a Community Councillor.

Planning Matters

Community Councils will be consulted on the submission of Planning applications for proposed developments that are categorised as being of national or major scale or of significance to the community. Community Councillors may also be invited to attend events held by applicants to inform members of the community about the development proposed prior to submission of a planning application. In dealing with interested parties in relation to planning applications, Community Councillors must pay particular regard to the principles set out in this Code.

Once a planning application is submitted it will be recorded on the weekly list of applications and the e-planning website compiled by the planning authority and made available to Community Councils. If the Community Council wishes to be consulted on an application not directly referred to it by the planning team, it must timeously contact the planning officer concerned.

To support Community Councillors in this role, the Council will make efforts to brief Community Councillors on new planning legislation when it is enacted. Community Councillors should make themselves available to attend such training sessions where reasonably possible.

If you have an interest, whether financial, non-financial, or personal, in the outcome of a decision on a planning application to be considered at a Community Council meeting, you must declare that interest and refrain from taking part in making the decision.

When making a planning application for your own property or acting on behalf of an applicant, you must not take any further part in the decision making process following submission of the planning application.

As part of your role in planning applications, you are obliged to recognise planning legislation and recognise that The Highland Council is bound to act under the terms of this legislation.

Liquor Licensing

This is similar to Planning and the Community Council will be notified of all new premises and major variation applications

If you have an interest, whether financial, non-financial, or personal, in the outcome of a decision on a licensing application to be considered at a Community Council meeting, you must declare that interest and refrain from taking part in making the decision.

When making a licensing application for your own property or acting on behalf of an applicant, you must not take any further part in the decision making process following submission of the application.

As part of your role in licensing applications, you are obliged to recognise the relevant legislation and recognise that the Highland Licensing Board is bound to act under the terms of this legislation.

SECTION TWO

Service to the Community

As a Community Councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Council's Scheme, as set out by The Highland Council under the terms of the Local Government (Scotland) Act 1973 and 1994.

You have a duty to establish and reflect, through the Community Council, the views of the community as a whole, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

Selflessness

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family or friends.

Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary of the Community Council.

Objectivity

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

Accountability and Stewardship

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to The Highland Council's Scheme.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in The Highland Council's Scheme for the Establishment of Community Councils. They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting.

Any breach of the Council's Scheme may be reported to The Highland Council to determine what action, if necessary, should be taken.

Openness

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the Media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

Honesty

You have a duty to act honestly. You also have an obligation to work within the law at all times, this includes acting within planning legislation. You must declare any private interest relating to your Community Council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

Leadership

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

Respect

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-

discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You 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.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious or corrupt purposes.

Scheme Review 2018-19
Recommended Removal of this Template to enable regular updating

Community Councils
Standard Financial Reporting Format – Example
Receipts and Payments Account for the year ended 31st March 2010
Highland Community Council

		2010	2009
Income	£	£	£
<i>The Highland Council Grant</i>			
		1000	1000
<i>Sponsorship</i>			
<i>ABC Ltd</i>	1000		
<i>DEF LTD</i>	1000		
		2000	1000
<i>Donations</i>			
<i>A N Other</i>	150		
<i>A Smith</i>	500		
		650	500
<i>Contributions Received</i>			
<i>XYZ Hotel</i>	500		
<i>Bowling Club</i>	200		
		700	650
<i>Other Income</i>			
<i>Fireworks Night</i>	750		
<i>Web site adverts</i>	200		
		950	900
<i>Deposit Account interest</i>		5	5
Total Income		5305	4055

Expenditure			
<i>Highland Council Grant</i>			
<i>Secretary's Fees</i>	250		
<i>Meeting Expenses</i>	300		
<i>Administration</i>	150		
<i>Community newsletter</i>	200		
<i>Travel/subsistence</i>	100		
		1000	500
<i>Donations</i>			
<i>Senior Citizens Party</i>	200		
<i>Shinty Club</i>	200		
		400	300
<i>Maintenance Work</i>			
<i>Grasscutting</i>	1000		
<i>Floral Display</i>	500		
		1500	1000
<i>Community Events</i>			
<i>Fireworks</i>	1000		
<i>Xmas Tree Lighting</i>	500		
		1500	1000
Total Expenditure		4400	2800

Surplus/Deficit for the year		905	1255
Add Balance brought forward		3000	1745

Balance carried forward	3905	3000
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Community Councils

Standard Financial Reporting Format - Example

Bank Reconciliation at 31st March 2010

Highland Community Council

Current Account	£	£
Balance at 1 April 2009		2000
Add: Income(excl. Deposit Account interest)	5300	
Less: Expenditure	4400	
Surplus/(Deficit) for the year		900
Less: Transfer to Deposit Account		1000
Balance at 31 March 2010		1900
Bank Statement		
Balance per the statement at 31 March 2010		2200
Less: Unpresented cheques		400
Add: Unbanked income		100
Balance at 31 March 2010		1900

Deposit Account	£	£
Balance at 1 April 2009		1000
Add Interest Received		5
Add Transfers in		1000
Balance at 31 March 2010		2005
Balance per the statement		2005

Standard Financial Reporting Format - Example

Balance Sheet as at 31st March 2010

Highland Community Council			2010	2009
Fixed Assets	£	£	£	£
Community Hall		50,000		
Mini Bus		2,000		
			52,000	52,000
Current Assets				
Deposit Account		2,005		
Current Account		1,900		
			3,905	3,000
Net Assets			55,905	55,000
Represented By				
Capital Valuation Account			52,000	52,000
Revenue Reserves				
Balance at 1.04.09		3,000		
Surplus for the year		905		
Balance at 31.03.10			3905	3000
Total Funding			55,905	55,000

Independent Examiners Certificate

I hereby certify that the Accounts to the 31st March 2010 are an accurate summary of the underlying books and records of Highland Community Council

Signature

Date Nomination Received	Time Received	Candidate Statement Received	Initialled	Valid / Invalid

**Scheme Review 2018-19
Recommended Removal of this Template to enable regular updating**

_____ **COMMUNITY COUNCIL**

ELECTION: XXXXXXXX

NOMINATION PAPER

I, the undersigned, am hereby nominated as a candidate at the said election.

Candidate's surname

Other names in full

Commonly used surname (if any)

Commonly used forenames (if any)

Home address in full

I, the nominee for election, consent to being nominated as a candidate for the
_____ Community Council.

I declare that I am qualified to be elected, that I have attained the age of 16 years and am a qualifying elector.

I am registered as a Community Council elector for the Community Council area as in the register (or supplementary register) of electors *

and my electoral number is(see note below)

I agree to make my name and address available for posting on the Highland Council website (www.highland.gov.uk) in connection with the Community Council Election to be held on XXXXXXXXXX.

Signature of Candidate	
Date	
Signature of Witness	
Name and address of witness	

For official use only

Date Nomination Received	Time Received	Candidate Statement Received	Initialled	Valid / Invalid

Date	

Date Nomination Received	Time Received	Candidate Statement Received	Initialled	Valid / Invalid

CANDIDATE'S STATEMENT

The candidate's statement must not be more than 200 words long.

Date Nomination Received	Time Received	Candidate Statement Received	Initialled	Valid / Invalid

SUPPLEMENTARY INFORMATION: CANDIDATES CONTACT DETAILS

Telephone Number _____ Mobile Number _____

Email address _____

Completed nomination forms and candidate’s statements must be returned by 4.00 pm on XXXXXXXX to the appropriate Ward Manager detailed below.

- XXXXX
- XXXXX
- XXXXX
- XXXX
- XXXX

The Highland Council will accept e-mailed copies of the Form, so long as it has been correctly completed and contains the signature of the candidate and witness.

** NOTE: A person's electoral number consists of the distinctive letter or letters (or number or numbers) of the polling district in which the candidate is registered together with the number in the register to be used at the election. At this election, a person may also be entered in the Supplementary Register of Community Council electors, and, where appropriate, the number in that electoral list shall be used.*

The Electoral Registration Officer’s office can be contacted on **Freephone No. 0800 393783**

2018/19 Scheme Review – Boundary Proposals

Community Council:	Boundary Proposal:	Rational
Smithton & Culloden	Split into two new CCs	Two distinct communities and communities with large population growth
Cradlehall and Westhill CC and Balloch CC	Amend north east boundary between Cradlehall and Westhill with Balloch	Take into account recent development
Beauly	include The Braes to the north and Wyndhill to the east as these communities are both serviced from Beauly and have active community members	Minor adjustment
Sinclairs Bay	Move Staxigoe and Papigoe to Wick	Communities have links with Wick – request of CC as has struggled to form
Sinclairs Bay	Combine remaining part with part of Dunnet & Canisbay to the east of ward boundary	Has shared East coast and A99 links – CC has struggled to form
Dunnet & Canisbay	Section in Wick Ward to combine with Sinclairs Bay	Has shared East coast and A99 links and Sinclairs Bay has struggled to form
Dunnet & Canisbay	Section in in Thurso Ward to combine with Castletown and Bower	Has shared West coast and links with Dunnet Sands
Castletown	Combine with Bower and the West of Dunnet and Canisbay	Has shared links
Bower	Combine with Castletown and the West of Dunnet and Canisbay	Has shared links
Fort William	Combine with Inverlochry and Torlundy	Request from Community
Iverlochry & Torlundy	Combine with Fort William	Request from Community
Mallaig	Split and form new CC in Inverie and Knoydart	Local request. No links in recent years between communities
Sheildaig	Merge with Torridon and Kinlochewe	Request from Sheildaig

2018/19 Scheme Review – Proposed General Scheme Amendments

Proposed General Amendment	Rationale	Scheme Reference
Accounting <ul style="list-style-type: none"> removal of the financial template at appendix 6 remove of reference to template 	To enable regular updating of template. Does not remove the requirement for Community Councils present their accounts in a standardised format	Appendix 6 – Standard Reporting Template Scheme – 3.2 9.1 Constitution - 14.1 (e)
Membership Lists <ul style="list-style-type: none"> To be updated following boundary changes To be updated with most recent populations 	To update existing listings	Appendix 2 – Membership Numbers
Items in Private <ul style="list-style-type: none"> Clarification of wording to correspond to requirements of Standing Orders 	To ensure both the constitution and standing orders correspond	Constitution - 11.1 (h)
Election of Office Bearers <ul style="list-style-type: none"> Removal of reference to AGM so that all election of office bearers can be done by secret ballot 	Clarification of process	Standing Orders – 6.1
Disqualification of Membership <ul style="list-style-type: none"> Clarification of disqualification when a member fails to attend 	Clarification of process	Scheme – 11.2
Sub-committees <ul style="list-style-type: none"> Clarification of responsibility of sub-committee work 	Clarification of process	Constitution - 10.1 Standing Orders – 8.1
Interim Election <ul style="list-style-type: none"> Reducing from 3 to 2 per year 	In line with sustaining Community Council membership, fewer interim elections should be required	6.2.6
Insurance <ul style="list-style-type: none"> Clarification of new rules on the oversight of CC insurance scheme 	Clarification of process	10.1
Nomination Form <ul style="list-style-type: none"> Removal of standard form in scheme to enable regular updating when required 	No requirement to include in the Scheme	6/2/3

Proposed General Amendment	Rationale	Scheme Reference
Elections <ul style="list-style-type: none"> ○ Remove reference to supplementary register as no longer required as 16 and 17 years olds on main electoral role 	Clarification of process	5.2, 5.3, 6.1.2
Original Scheme <ul style="list-style-type: none"> ○ Removal of reference to implementation of original scheme 	References no longer required	1.2, 3.2, 5.1, 5.6
Commencement of Scheme <ul style="list-style-type: none"> ○ References to the commencing of this Scheme 	Clarification of process	6.2.1, 12.1, 12.3