



COMMUNITY COUNCILS IN HIGHLAND

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 Draft 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 templates (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

DRAFT for CONSULTATION

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 (provisionally) 1st April 2011.

2. Statutory Purposes

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

“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 make 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. Community Councils will be consulted prior to the submission of applications for proposed developments that are categorised as being of national or major scale. 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. From time to time the Licensing Board will also consult on policy issues. Community Councils may be consulted on any other matters by the Highland Council, other public sector bodies and private agencies.

Community Council are expected to participate in ward forums and other community planning arrangements at a local level.

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.

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 must at all times adhere to the law, the terms of the Council's Scheme for the Establishment of Community

Councils, the Community Councillors' Code of Conduct (Appendix 5) and be mindful of established good practice.

Each Community Council is required to:

- Adopt a Constitution (Appendix 3)
- Adopt the Model Standing Orders (Appendix 4)
- Maintain proper financial records (Appendix 6)
- Inform the community of the work and decisions of the Community Council
- Ensure that the Community Council is accessible
- Adopt Highland Council's Child Protection Policy for community groups (where appropriate)

Adopt a Constitution, based upon the Model Constitution. (Appendix 3) This is to encourage and maintain consistency for all Community Councils and ensure that they are appropriately regulated. The Community Council's Constitution is required to be approved by the Highland Council. Any changes to this constitution must be approved by the Highland Council.

Adopt the Model Standing Orders, (Appendix 4) in order to ensure that their proceedings are properly structured and that items of business relevant to the community are properly debated and decisions reached in a democratic manner.

Maintain proper financial records subject to a minimum of a cashbook, bank statements, invoices and/or receipts. It is also expected that financial reports will be presented at each Community Council meeting. Standard templates for presenting financial information at the year end are required to be used. (Appendix 6)

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 the Data Protection Act 1998, provide contact details of Community Council members.

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

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.

Duties on the public sector mean Community Councils should consider, in particular, how they can contribute towards increasing equality on the basis of race, disability and gender (due to extend to other strands in 2011). This could, for example, be in relation to their role advising on planning applications, running community facilities or improving the quality of life through local community safety projects and ensuring meetings are held in accessible venues.

Community Councils should recognise and value diversity in their membership and in their communities, and ensure that equality of opportunity be given to every participant 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 be 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 as effective and representative, Community Councils: -

- Are expected to utilise the National Standards for Community Engagement

- Shall have in place, 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/participate in Community Council meetings and to ensure equality of opportunity in the way the Community Council carries out its functions.
- 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 their boundaries. The list of community areas is attached as Appendix 1 to the Scheme. Detailed maps of these areas can found on the Highland Council's website or through the appropriate area office.

5. Membership of Community Councils

- 5.1 Membership numbers of Community Councils shall vary across the area however the minimum membership level of a Community Council shall be seven and the maximum thirteen. The formula for determining individual Community Council membership levels is as follows:

- Core membership = 7
- 1 additional member per thousand of population
- 1 additional member where the population density is less than the Highland average of 8.8 per 100,000
- Maximum membership permitted = 13

The membership numbers for each Community Council are set out at Appendix 2.

- 5.2 The minimum age to stand for election as a community councillor is 16 years.
- 5.3 Qualification for membership is by residency within the specific Community Council area. Community councillors and candidates for Community Council

membership must also be named on the electoral register for the Community Council area in which they reside. This is notwithstanding section 6.1.2 relating to 16 and 17 year olds and the supplementary register.

5.4 There shall be provision 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 may be appointed by a Community Council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights. Associate members may serve for a fixed period as determined by the Community Council or for the term of office of the Community Council that has appointed them whichever is the shorter. Associate members may include representation from other constituted local voluntary organisations and persons under the age of 16.

5.6 *Ex-Officio Members*

Elected members of the Highland Council and members of the Scottish, United Kingdom and European Parliaments shall be ineligible to remain a community councillor, or to stand for election to a Community Council. Elected Members of the aforementioned bodies, whose wards or constituencies fall wholly or partly within the geographical area of the Community Council area, shall be deemed ex-officio members of the Community Council. Ex-officio members shall have no voting rights on the Community Council.

6. Community Council Elections

6.1 Eligibility

6.1.1 Candidates wishing to stand for election to a Community Council must reside in the Community Council area and be named on the Electoral Register for that area. The same criteria shall apply to voters in a Community Council election.

6.1.2 Sixteen and 17 year-olds residing in the Community Council area and named on

the Electoral Register for that area are also entitled to both stand for the Community Council and vote in any election. A supplementary electoral register will be compiled in circumstances relative to 16 and 17 year-olds to support their participation.

- 6.1.3 Any Community Council member who no longer resides within that Community Council area and/or whose name has been removed from the electoral register, is deemed to have resigned from that Community Council.

6.2 ***Nominations and Elections***

6.2.1 Background

The first elections to be held under the Scheme shall be held on a date to be determined by the Highland Council.

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.

6.2.2 Returning Officer

The Highland Council will appoint an Independent Returning Officer. The Independent Returning Officer must not be a current member of that Community Council nor intending to stand for election to that Community Council.

6.2.3 Nominations

Individuals seeking election to a Community Council require to be on the Electoral Register for that Community Council area. Individuals are required to be 16 when nominated.

A nomination form should be completed, the style of which is set out in Appendix 7. Nomination forms require to be submitted by the date set down in the election timetable. No nomination forms submitted after that date 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 to be elected 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 Poll shall be implemented. At the Poll, each voter shall be entitled to vote for candidates up to 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. However, that does not preclude the Highland Council from issuing a second call for nominations for a Community Council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for nominations.

6.2.5 Method of Election

- Elections will be based on the whole Highland Council area or devolved administrative areas, as deemed appropriate.
- All elections will be postal elections
- Community Councils 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 Council member submits her/his resignation;

- When an elected Community Council member ceases to be resident within that Community Council area;
- When an elected Community Council member has her/his membership disqualified (Section 11).

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

- the Community Council must inform the named Highland Council officer.
- Should circumstances arise that lead to the number of elected community councillors falling below **TWO THIRDS** of the maximum permitted membership, an interim election must be held which the Highland Council will administer.
- If the number of elected community councillors falls below **TWO THIRDS** of the maximum permitted membership 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.
- For all other vacancies, the Community Council may fill the vacancy either through:
 - Co-option with voting rights to a maximum of one third of the total membership of the Community Council. **OR**
 - By undertaking a postal ballot as per standard election procedure set out in section 6. Any interim election however, other than the circumstances outlined above, will be administered by the Community Council.

6.3 Co-option to Community Councils

- Co-opted members must be eligible for membership of the Community Council as detailed in Section 5 of the Community Council Scheme.
- They must be elected onto the Community Council by a two-thirds majority of the elected (general and interim) community councillors present and voting.
- Such 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).

- Notice of any proposed co-option procedure is required to be intimated to all of that Community Council's members at least 14 days prior to the meeting when the matter will be decided.
- The number of co-opted members may not exceed a THIRD of the current elected (general and interim) Community Council membership.
- Should the ratio of co-opted to elected community councillors become greater than one third, due to any circumstances, an interim election process shall be triggered.

7. Meetings

- 7.1 The first meeting of a Community Council following a Community Council election, will be called by the Returning Officer approved 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 a Constitution and Standing Orders set out at Appendices 3 and 4. Thereafter, the first meeting following each 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 one third of current voting membership of a Community Council, or 3 voting members, whichever is the greater.
- 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 that 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 department is consulting with Community Councils, representations should be made to the appropriate departmental officer.
- 8.3 Community Councils will present agendas and draft minutes of Community Councils' meetings to the Highland Council via its named officer within 14 days from the date of that meeting taking place and circulate them to Community Council members, relevant elected members and other interested parties.
- 8.4 Community Councils will inform the Highland Council of any change in membership (resignations, Associate Membership, etc.) and circumstances, as soon as is practicable.

9. Resourcing a Community Council

- 9.1 The financial year of each Community Council shall be from 1st April to 31st March in each succeeding year. A certified financial report will be presented to the Community Council's annual general meeting and submitted to Highland Council before the end of June each year in the prescribed format set out at Appendix 6.
- 9.2 The Financial Report of each Community Council shall be independently examined and certified by at least two examiners appointed by the Community Council, who are not members of that Community Council. A copy of the certified financial report shall be forwarded immediately thereafter the statement is

approved at the Community Council's annual general meeting, to the appropriate named Highland Council official.

- 9.3 The appropriate named Highland Council official may at their discretion, and in consultation with the Council's Chief Financial Officer, require the Community Council to produce its financial records - cashbook, bank statements, invoices and/or receipts records - as may be required.
- 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 for suitable projects through the Highland Council's grant system.
- 9.6 The Highland Council shall provide an administrative grant to Community Councils solely to assist with the operating costs of the Community Council and the use to which the grant is put will be clearly 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 minimal -p. **(to be determined by the Highland Council)** per head of population.
- 9.7 The Highland Council shall determine any additional support services/resourcing.
- 9.8 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.
- 10. Liability of Community Council Members**
- 10.1 A local scheme of insurance liability/property cover is available will be provided by the Highland Council. The cover becomes effective upon the Community Council requesting insurance from Highland Council.

- 10.2 It is the responsibility of the Community Councils to have appropriate insurance liability/property cover. Advice on this can be sought via the Corporate Manager's office.
- 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.

11. Disqualification of Membership

- 11.1 Any Community Council member who no longer resides within that Community Council area and/or whose name has been removed from the electoral register, is deemed to have resigned from that Community Council.
- 11.2 If any member of a Community Council 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) 1st April 2011, said Community Council shall be required to operate within the terms of the Scheme.
- 12.2 Any assets, liabilities, bank accounts pertaining to any existing Community Councils as at provisionally 31 March 2011, whose boundaries shall be substantially changed or amended shall transfer proportionately to any new Community Councils covering their area. The division of 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 the Scheme will take place are

found in Section Six of the Scheme.

- 12.4 Notwithstanding the above, where a Community Council is not formed, should twenty or more electors wish the establishment of the 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 Corporate Manager shall arrange for elections to be held in accordance with Section Six of the Scheme for the Establishment of Community Councils.

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. It is a requirement that not less than ten days prior to the date of such meeting a public notice be published. If the resolution is supported by a majority of those persons present and qualified to vote, and is 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 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 the Scheme for the Establishment of Community Councils.
- 13.3 Where for any reason, the number of Community Council members falls below the

minimum specified in the Scheme for the Establishment of Community Councils 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 those identified in the immediately preceding paragraph hereof, shall be initiated.

- 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 an Extraordinary General Meeting.

14. Review of the Scheme of Establishment for Community Councils

- 14.1 The Highland Council will review the Scheme of Establishment for Community Councils in Highland in year four of each Local Government electoral cycle beginning from (to be determined).
- 14.2 This will not preclude, where necessary, minor amendments to the Scheme in the intervening years. Minor amendments will require the approval of the Highland Council.

Appendix 1

A map of all Community Council area in Highland will be located here following this consultation

Draft - Community Council Membership Numbers

Caithness Sutherland and East Ross

Community Council Name	Total Community Council Membership
Alness	12
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	10
Castletown	8
Creich	9
Dornoch	9
Dunnet and Canisbay	8
Durness	8
Edderton	8
Fearn	7
Golspie	8
Halkirk	9
Helmsdale	8
Inver	7
Invergordon	10
Kilmuir Easter and Logie Easter	8
Kinlochbervie	8

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
5497	11.9	462.6	7	5	0
598	624.8	1.0	7	0	1
408	235.6	1.7	7	0	1
1003	469.0	2.1	7	1	1
1246	12.5	99.5	7	1	0
549	347.4	1.6	7	0	1
327	596.3	0.5	7	0	1
463	73.8	6.3	7	0	1
1659	188.8	8.8	7	1	0
2054	267.0	7.7	7	2	1
1515	68.7	22.0	7	1	0
1096	425.4	2.6	7	1	1
2414	150.9	16.0	7	2	0
1627	183.0	8.9	7	1	0
313	597.6	0.5	7	0	1
341	89.5	3.8	7	0	1
520	18.2	28.6	7	0	0
1649	69.5	23.7	7	1	0
1398	393.1	3.6	7	1	1
838	601.6	1.4	7	0	1
368	18.7	19.7	7	0	0
3777	24.1	157.0	7	3	0
1785	85.4	20.9	7	1	0
445	240.2	1.9	7	0	1

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

Community Council Name	Total Community Council Membership
Lairg	8
Latheron and Lybster	9
Melvich	8
Nigg and Shandwick	7
Rogart	8
Saltburn and Westwood	7
Scourie	8
Sinclairs Bay	8
Strathy and Armadale	8
Tain	10
Tannach and District	7
Tarbat	7
Tongue	8
Watten	8
Thurso	13
Wick	13

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
898	508.3	1.8	7	0	1
1139	147.7	7.7	7	1	1
360	252.7	1.4	7	0	1
318	32.2	9.9	7	0	0
530	427.8	1.2	7	0	1
463	0.7	656.5	7	0	0
231	345.2	0.7	7	0	1
1449	85.3	17.0	7	1	0
205	231.6	0.9	7	0	1
3750	58.4	64.3	7	3	0
904	96.0	9.4	7	0	0
707	23.7	29.8	7	0	0
546	336.4	1.6	7	0	1
602	133.5	4.5	7	0	1
6831	5.0	1362.6	7	6	0
6570	4.8	1367.2	7	6	0

Ross, Skye and Lochaber

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

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
580	221.8	2.6	7	0	1
208	191.6	1.1	7	0	1
388	314.7	1.2	7	0	1
481	150.0	3.2	7	0	1
654	97.5	6.7	7	0	1
1424	32.2	44.2	7	1	0
712	42.2	16.9	7	0	0
284	47.8	5.9	7	0	1
1466	239.3	6.1	7	1	1
2851	3.6	786	7	2	0
237	171.4	1.4	7	0	1
1735	2.2	802.4	7	1	0
620	35.2	17.6	7	0	0
936	34.6	27.0	7	0	0
5254	12.1	433.7	7	5	0
414	417.3	1.0	7	0	1
585	100.1	5.9	7	0	1
317	52.4	6.0	7	0	1
1874	52.6	35.6	7	1	0
4473	119.2	37.5	7	4	0
2365	24.7	95.9	7	2	0
1183	170.7	6.9	7	1	1
330	611.1	0.5	7	0	1
366	328.1	1.1	7	0	1
418	108.0	3.9	7	0	1

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

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

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
300	219.6	1.4	7	0	1
134	186.8	0.7	7	0	1
395	521.7	0.8	7	0	1
1231	54.5	22.6	7	1	0
679	31.4	21.6	7	0	0
1676	165.5	10.1	7	1	0
298	58.9	5.1	7	0	1
1826	174.1	10.5	7	1	0
905	220.6	4.1	7	0	1
2119	47.3	44.8	7	2	0
789	7.7	102.4	7	0	0
350	41.1	8.5	7	0	1
294	28.8	10.2	7	0	0
2152	932.4	2.3	7	2	1
813	293.2	2.8	7	0	1
314	267.1	1.2	7	0	1
941	278.5	3.4	7	0	1
540	442.8	1.2	7	0	1
1400	20.0	70.1	7	1	0
500	274.1	1.8	7	0	1
256	210.4	1.2	7	0	1
379	330.1	1.1	7	0	1
2960	36.9	80.2	7	2	0
544	48.2	11.3	7	0	0
428	21.2	20.2	7	0	0
2268	78.4	28.9	7	2	0
187	73.1	2.6	7	0	1

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

Community Council Name	Total Community Council Membership
Resolis	7
Sconser	8
Shieldaig	8
Skeabost	9
Sleat	8
Small Isles	8
Spean Bridge, Roy Bridge and Achnacarry	9
Staffin	8
Strathpeffer	9
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 km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
820	50.9	16.1	7	0	0
109	34.5	3.2	7	0	1
185	112.9	1.6	7	0	1
1022	177.8	5.7	7	1	1
875	172.3	5.1	7	0	1
136	155.9	0.9	7	0	1
1429	964.6	1.5	7	1	1
563	114.4	4.9	7	0	1
1508	182.7	8.3	7	1	1
126	16.8	7.5	7	0	1
249	111.9	2.2	7	0	1
432	210.4	2.1	7	0	1
390	653.5	0.6	7	0	1
399	59.4	6.7	7	0	1
296	60.5	4.9	7	0	1
389	150.6	2.6	7	0	1
380	164.8	2.3	7	0	1

Inverness, Nairn, Badenoch and Strathspey

Community Council Name	Total Community Council Membership
Ardersier and Petty	8
Auldearn	7
Aviemore	9
Ballifeary	8
Balloch	8
Beauly	8
Boat of Garten	7
Carrbridge	8
Cawdor And West Nairnshire	9
Central	8
Cromdale and Advie	8
Crown	12
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

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
1750	41.1	42.6	7	1	0
956	34.5	27.7	7	0	0
2862	189.7	15.1	7	2	0
1323	1.6	805.1	7	1	0
1528	5.1	299.8	7	1	0
1330	3.3	401.6	7	1	0
657	31.8	20.6	7	0	0
728	155.4	4.7	7	0	1
1216	201.1	6.0	7	1	1
1052	3.2	325.5	7	1	0
507	165.7	3.1	7	0	1
5051	1.8	2734.8	7	5	0
1277	29.4	43.4	7	1	0
3330	1.4	2448.4	7	3	0
3591	1.2	3037.1	7	3	0
104	117.4	0.9	7	0	1
315	71.5	4.4	7	0	1
473	60.6	7.8	7	0	1
548	173.7	3.2	7	0	1
1236	476.9	2.6	7	1	1
1968	230.7	8.5	7	1	1
2576	73.4	35.1	7	2	0

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

Community Council Name	Total Community Council Membership
Hilton, Milton and Castle Heather	12
Holm	9
Inverness South	11
Inverness West	9
Kilmorack	7
Kiltarlity	8
Kincraig	8
Kingussie	9
Kirkhill and Bunchrew	8
Laggan	8
Lochardil	11
Merkinch	11
Muirtown	11
Nairn - Suburban	10
Nairn - West	8
Nairn River	11
Nethy Bridge	8
Newtonmore	9
Park	9
Raigmore	8
Smithton & Culloden	13
Strathdearn	8
Stratherrick and Foyers	8
Strathglass	8
Strathnairn	9
Westhill	11

Total Population	Area (sq km)	Population Density	Core Membership	Addition Member / 1000 population	Additional Member if pop. density < 8.8
5286	1.2	4551.6	7	5	0
2102	2.7	784.3	7	2	0
4216	19.3	217.9	7	4	0
2271	53.8	42.2	7	2	0
613	62.7	9.8	7	0	0
1369	103.3	13.3	7	1	0
697	483.3	1.4	7	0	1
1394	178.3	7.8	7	1	1
1665	48.6	34.3	7	1	0
315	525.1	0.6	7	0	1
4125	2.2	1878.9	7	4	0
4108	1.3	3097.1	7	4	0
4210	1.7	2464.6	7	4	0
3346	2.1	1629.7	7	3	0
1072	1.0	1070.1	7	1	0
4863	6.7	724.9	7	4	0
968	247.3	3.9	7	0	1
1259	163.6	7.7	7	1	1
2325	0.5	4575.9	7	2	0
1521	1.0	1522.3	7	1	0
6607	6.5	1021.7	7	6	0
537	427.6	1.3	7	0	1
676	382.3	1.8	7	0	1
553	680.7	0.8	7	0	1
1088	235.3	4.6	7	1	1
4356	11.2	389.2	7	4	0

Highland Council

DRAFT - 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.

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 local authority for the area to public authorities and other organisations;
 - c) to take such action in the interests of the community as appears to it 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.

5. Membership

5.1 The COMMUNITY COUNCIL'S membership is as governed by section 5 of the Scheme for the Establishment of Community Councils and set out in Appendix X 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 for the Establishment of Community Councils.

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 for the Establishment of Community Councils, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

a) fill the vacancy by co-option with voting rights to a maximum of one third of the total membership of the Community Council.

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 or co-opted, but not by Associate , or Ex-officio members.

8.2 With the exception of circumstances which may arise:

- under the Scheme for the Establishment of Community Councils Section 6.3 relating to Co-option;

- under the Standing Orders Clause 16 Alterations to the Constitution;
- and under the Standing Orders Clause 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 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 At the first meeting of the COMMUNITY COUNCIL after elections in the year when elections are held and at the Annual General Meeting in the year when elections are not held, the COMMUNITY COUNCIL shall appoint a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide. In addition to the above, the Community Council may appoint an external minute Secretary however, this individual shall have no voting rights.

9.2 All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.

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 or Treasurer.

10. Committees of the Community Council

10.1 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.

11. Meetings of the Community Council

11.1 a) The quorum for COMMUNITY COUNCIL meetings shall be at least one third of the current eligible voting membership, or 3 voting members, whichever is the

greater.

- b) Once in each year, before the end of 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) Including the annual general meeting, the COMMUNITY COUNCIL shall meet not less than 7 times 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 10 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 COUNCIL members. The named officer of the Local Authority has the discretion to call a 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, but the draft minute shall be circulated within 14 days from the date of that meeting, to COMMUNITY COUNCIL members, other appropriate parties and the 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.
- 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 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 in the manner prescribed locally for special meetings called by the COMMUNITY COUNCIL.
- h) In exceptional circumstances, and in accordance with the Standing Orders, the COMMUNITY COUNCIL can discuss *items* of business in private. 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. If a decision to take an item in private is made at the previous meeting of the Community Council, notice of such a meeting will be given to the public in the usual way; however, the Notice will record that an item(s) shall be held in private. Minutes of the discussion will be taken and decisions taken 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 11h, 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 and 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.
- b) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area, and on it's website where appropriate, for a minimum period of ten 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 named Highland Council officer shall be sent 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 10 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. Monies raised from other sources may be used in accordance with the terms of this provision (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 for the last financial year, independently examined and certified by two examiners appointed by the COMMUNITY COUNCIL, who are not members of this COMMUNITY COUNCIL, shall be submitted to an annual general meeting of the COMMUNITY COUNCIL and shall be available for inspection at a convenient location.
 - f) The financial year of the COMMUNITY COUNCIL shall be from 1st April 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 Local Authority official following approval at the Community Council's annual general meeting.

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.

16. Alterations to the Constitution

- 16.1 Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a 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 issued not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for the Establishment of Community Councils.
- 16.2 If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL, and is approved in writing by the Highland Council, the alteration shall be deemed to have been duly authorised and can then come into 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. It is a requirement that not less than ten days prior to the date of such meeting a public notice will be published. If the resolution is supported by a majority of those persons present and qualified to vote and is approved by the local authority, 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 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 the Scheme for the Establishment of Community Councils.

17.3 Where for any reason, the number of COMMUNITY COUNCIL members falls below the minimum specified in the Scheme for the Establishment of Community Councils 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 being those identified in the immediately preceding paragraph hereof, shall be initiated.

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

Highland Council

DRAFT - Community Council Standing Orders

1. Meetings (all held in public)

- 1.1 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:

- on the written request of not less than one-half of the total number of COMMUNITY COUNCIL members;
- or the receipt of a common written request (petition), signed by at least 20 persons, resident within the COMMUNITY COUNCIL area, to convene a special meeting for a particular matter or matters to be debated.

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

An Annual General Meeting will be held annually between April and before the end of June.

- 1.2 The notice of ordinary and annual general meetings of the COMMUNITY COUNCIL, featuring the date, time and venue, shall be provided to each COMMUNITY COUNCIL member and the Highland Council's named officer by the Secretary of the COMMUNITY COUNCIL, at least 10 days before the date fixed for the meeting.

2. Minutes

- 2.1 Minutes of the proceedings of a meeting of the COMMUNITY COUNCIL shall be drawn up within fourteen days from the date of that meeting, distributed in accordance with Section 3 paragraph 3.2 of the Scheme for the Establishment of Community Councils 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.

3. Quorum

3.1 A quorum shall be one-third of the voting membership of the COMMUNITY COUNCIL, or 3 voting members, whichever is the greater.

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

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 membership present and apologies received.
- b) The minutes of the last annual general meeting of the COMMUNITY COUNCIL shall be submitted for adoption.
- c) Chairperson's Annual Report (and questions from the floor).
- d) Secretary's Annual Report (and questions from the floor).
- e) Treasurer's submission of the Financial Statement duly independently examined and certified correct (and questions from the floor).
- f) Demit of current office bearers/election of office bearers.
- g) Chairperson to declare 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 Extraordinary General Meeting

The order of business at every extraordinary general meeting of the COMMUNITY COUNCIL shall be as follows: -

- a) Recording of membership present and apologies received.
- b) Business for debate, as described in the calling notice for the special meeting.
- c) Chairperson to close 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 After a mover of a motion has been called on by the Chairperson to reply, no other members shall speak to the question.

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

5.5 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.

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.

9. Suspension of Standing Orders

- 9.1 These Standing Orders shall not be suspended except at a meeting at which three-quarters of the total number of COMMUNITY COUNCIL members are present and then only if the mover states the object of his motion and if two-thirds of the COMMUNITY COUNCIL members present consent to such suspension.

Highland Council Scheme of Establishment for Community Councils

DRAFT - 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. 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.

In the event that you have a clear conflict of interest in any matter, you should **declare that interest at the earliest stage possible** and **withdraw from the meeting** until discussion of the matter has concluded.

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 must also keep in mind that the test is whether a member of the public, acting reasonably, would think that a particular interest could influence your role as a community councillor.

Planning Matters

Community Councils to be consulted prior to the submission of applications for proposed developments that are categorised as being of national or major scale. 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.

Once a planning application is submitted it will be recorded on the weekly list of applications compiled by the planning authority and made available to Community Councils. If the Community Council wishes to be consulted on an application, it must 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.

If you have an interest, whether financial, non-financial, or personal, in the outcome of a decision on a planning application, 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.

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 Councils Scheme for the Establishment of Community Councils, as set out by your local authority under the terms of the Local Government (Scotland) Act 1973.

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.

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.

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 for the Establishment of Community Councils and this Code of Conduct.

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 for the Establishment of Community Councils as set out by the Highland Council under the terms of the Local Government (Scotland) Act 1973 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.



Community Councils

Standard Financial Reporting Format - Example

Receipts and Payments Account for the year ended 31st March 2010

Highland Community Council

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

Expenditure			
Highland Council Grant	Secretary's Fees	250	
	Stationery	60	
			310
			500
Donations	Senior Citizens Party	200	
	Shinty Club	200	
			400
			300
Maintenance Work	Grasscutting	1000	
	Floral Display	500	
			1500
			1000
Community Events	Fireworks	1000	
	Xmas Tree Lighting	500	
			1500
			1000
Total Expenditure			3710
			2800

Surplus/Deficit for the year	1595	1255
Add Balance brought forward	3000	1745
Balance carried forward	4595	3000

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	3710	
Surplus/(Deficit) for the year		1590
Less: Transfer to Deposit Account		1000
Balance at 31 March 2010		2590
Bank Statement		
Balance per the statement at 31 March 2010		2890
Less: Unpresented cheques		400
Add: Unbanked income		100
Balance at 31 March 2010		2590

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

Community Councils

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		2,590		
			4,595	3,000
Net Assets			56,595	55,000
Represented By				
Capital Valuation Account			52,000	52,000
Revenue Reserves				
Balance at 1.04.09		3,000		
Surplus for the year		1,595		
Balance at 31.03.10			4,595	3000
Total Funding			56,595	55,000



NOMINATION PAPER

ELECTION OF COUNCILLORS

for the

(Insert Name).....Community Council

Day of Election: Thursday ***** 201*

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)	.....
Description (if any) (max. 6 words)	.....
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.

I am registered as a local government elector for the (Name of Council)
Community Council area as in the register of electors in respect of the
following address

and my electoral number is (see note 4)

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

Note 1 Where a candidate is commonly known by some title, the candidate may be described by the title as if it were the candidate's surname.

Note 2 Where a candidate commonly uses a name which is different from any other name the candidate has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.

Note 3 But the ballot paper will show the other name if the returning officer thinks–

- (a) that the use of the commonly used name may be likely to mislead or confuse electors; or
- (b) that the commonly used name is obscene or offensive.

Note 4 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, except that before publication of the register the distinctive letter or letters (or number or numbers) of the polling district in which the candidate is entitled to be registered together with the number (if any) in the electors lists for that register shall be used instead.