

South Ayrshire Council

**Report by Director of Communities and Transformation
to South Ayrshire Council
of 19 February 2026**

**Subject: Community Councils – Scheme for Establishment of
Community Council**

1. Purpose

1.1 The purpose of this report is to seek approval to approve changes and updates to the Scheme for Establishment of Community Councils following the consultation period.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 notes the findings from stage 3 of the consultation Appendix 1;

2.1.2 approves the draft Scheme for Establishment of Community Councils following stage 3 of the consultation Appendix 2;

2.1.3 requests that officers to publish the new updated draft Scheme for Establishment of Community Councils following approval at Council.

3. Background

3.1 The Scheme for Establishment of Community Councils (hereafter the 'Scheme') was approved for implementation by South Ayrshire Council's Leadership Panel on Tuesday 15 September 2020, to correct administrative errors and reflect various administrative changes in the Council including the titles of Council Panels, departments and roles.

3.2 The Scheme describes how Community Councils in South Ayrshire are formed; the conditions under which they operate, and the minimum standards to be met for recognition as a Community Council.

3.3 On 23 June 2023 Cabinet approved changes to the Scheme and guidance for Community Councils to reflect administrative and Cabinet decisions.

3.4 On 28 November 2023 Cabinet approved boundary changes between Crosshill, Straiton and Kirkmichael and Maybole Community Council ward following the consultation (June 2023 – September 2023).

- 3.5 On 29 October 2024 Cabinet approved Officers to update the Scheme to reflect required updates and clarification on points within the Scheme.
- 3.6 Following a call-in, the report and recommendations from Cabinet on 29 October 2024 were reviewed and presented to Audit and Governance Panel on 6 November 2024. Subsequently the recommendations were approved at Cabinet on 26 November 2024.
- 3.7 Since the introduction of the current Scheme for Establishment of Community Councils and Guidance for Community Councils came in to use, there have been concerns raised by both SAC Officers and Community Councils regarding the size of the documents and the working practicalities on certain aspects of the Scheme.
- 3.8 On 7 November 2024 SAC Officers met with Chairs and Secretaries of Community Councils and agreed Officers would seek approval to carry out a consultation on the Scheme.
- 3.9 On [18 March 2025](#) Cabinet approved Officers to consult on the current Scheme and bring a further report back to Cabinet with proposals setting out a further consultation on the new draft proposals.
- 3.10 The first stage of consultation took place between 24th March 2025 and 16th May 2025. The consultation was open to local residents across South Ayrshire, Community Councils, community groups and organisations or any individual or group directly or indirectly impacted by the Scheme. Findings from the consultation were presented to [Cabinet](#) on 26th August 2025.
- 3.11 Cabinet approved officers to commence stage 2 of the consultation that took place between 8th September 2025 – 2nd November 2025. Findings from the consultation were presented to [Council](#) on 11th December 2025.
- 3.12 Council approved the draft Scheme on 11th December 2025 and approved for Officers to commence stage 3 of the consultation that took place between 15th December 2025 and 18th January 2026.
- 3.13 Feedback from stage 3 of the consultation is noted in Appendix 1. The main points noted from stage 3 of the consultation include:
- The administration grant
 - The process to support the ongoing review of the Scheme
 - The supported status process and complaints process
 - The Model Scheme
- 3.14 As part of the consultation Officers have engaged with other local authorities and reviewed various Schemes. Officers have also reviewed the 'Model Scheme' Appendix 3. As previously noted at Council the Model Scheme is designed to provide a common, minimum basic, framework for local authorities and each local authority is responsible for consulting on and agreeing its own Scheme.

4. Detail

- 4.1 Following the robust engagement and consultation process, Officers are recommending that the draft Scheme for Establishment of Community Councils is approved.

- 4.2 Officers are therefore recommending that:
- 4.2.1 the Council approves the draft Scheme for Establishment of Community Councils;
 - 4.2.2 approval is granted to publish the new draft Scheme for Establishment of Community Councils, with an implementation date of 1 April 2026; and
 - 4.2.3 officers update the Scheme of Delegation to reflect changes to the Scheme for Establishment of Community Councils.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report, however it has been noted by Legal that the Scheme of Delegations and Sub-delegations from the Director of Communities and Transformation will be revised and redrafted to correctly reflect the powers currently being exercised by Officers or any updates to these powers once the Scheme For Establishment of Community Councils has been approved.
- 5.2 There are no Procurement implications arising from this report.

6. Financial Implications

- 6.1 There will continue to be recurring revenue costs for SAC to support Community Councils, this includes administration budgets for Community Councils and staffing costs to support Community Councils.

7. Human Resources Implications

- 7.1 There are no HR implications in this proposal however there is a requirement to continue supporting Communities with internal staffing resources.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 There are no risks associated with adopting the recommendations contained within this report.

8.2 Risk Implications of Rejecting the Recommendations

- 8.2.1 Rejecting the recommendations would mean Officers could not publish the new updated Scheme and adopt the recommended updates and changes.
- 8.2.2 Rejecting the recommendations may impact on the reputation of the Council.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An integrated impact assessment has been carried out for this report.

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 An options appraisal has been carried out in relation to the subject matter of this report. The following table summarises which options were considered and their ranking of preference:

| Option | Description | Ranking |
|---|---|----------------|
| 1. Approve, adopt and publish the new updated Scheme. | Adopt the new Scheme following the consultation. | 1 |
| 2. Do not adopt the recommendations and adopt the new Scheme. | By rejecting the recommendations and not adopting the new Scheme Officers will continue to use the existing Scheme. | 2 |

It is recommended that the Scheme is approved, adopted and published by SAC Officers.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 1, 2 and 3 of the Council Plan: Spaces and Place; Live/ Work/ Learn; Civic and Community Pride

13. Link to Shaping Our Future Council **No**

- 13.1 The matters referred to in this report contribute to the Council's transformation priority area(s): our workforce; our technology; our assets; our delivery model and could deliver cashable, qualitative and quantitative benefits in the future.

14. Results of Consultation

- 14.1 There has been a robust consultation and the findings have been included in the reports.
- 14.2 Consultation has taken place with Councillor Brian Connolly, Council Leader and Policy Lead for Economy and Strategy, and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

- 15.1 If the recommendations above are approved by Members, the Director of Communities and Transformation will ensure that all necessary steps are taken to

ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

| <i>Implementation</i> | <i>Due date</i> | <i>Managed by</i> |
|------------------------------|----------------------------|--------------------------|
| Publish Scheme | 1 st April 2026 | Jamie Tait |

Background Papers **Report by Director of Communities and Transformation**
Council [11th December 2025](#)

Report by Director of Communities and Transformation
Cabinet [26th August 2025](#)

Report by Director of Communities and Transformation
Cabinet [18th March 2025](#)

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Date: 30 January 2026

Stage 3 Consultation Feedback

Stage 3 of the consultation opened on 15th December 2025 and closed 18th January 2026.

All Community Councillors were sent the survey, via email, on 16th December 2025, with a further reminder sent on 5th January 2026.

The consultation was available online on Your Area, Your Voice, Your Choice Platform and responses can still be accessed via the website [Consultations - Past](#)

There was a total of six responses to the consultation.

One submission by **Barr Community Council** was submitted after the closing date, however the response has been reviewed by Legal and Officers within Thriving Communities and included in the report.

Responses

Dundonald Community Council. Response to Final Consultation regarding the Scheme of Establishment for Community Councils submitted 18th Jan 2026

1.0 Summary

1.1 Dundonald Community Council is in recess over the Christmas New Year period. Our first meeting following commencement of the above consultation is on the 12th Feb 2026. In view of the importance of this consultation however, the Community Council held a special meeting for this one item in private premises on the 17th Jan 2026.

1.2 Following the meeting, this response was prepared, representing the consensus of views and was approved following circulation by e mail. This response therefore represents the collective views of the Community Council. The document is being submitted in standard report format because the online portal is not geared towards a collective group response.

2.0 Background

2.1 Dundonald Community Council submitted an initial response to the Consultation on the 'Scheme of Establishment' on the 8th May 2025. This response was approved unanimously by the Community Council. The response was initially rejected because it was not completed online. The Council thereafter accepted the response after realizing that the online platform precluded responses from 'groups and organizations'. The online consultation platform at that time only accepted responses from individuals. We understand however that at least one other Community Council debated the consultation and submitted a collective response.

2.2 In our consultation response of 8th May 2025 we focused on three key issues.

2.3 Firstly, the benchmark for the new 'Scheme' should be the 'Model' document approved by Scottish Government and COSLA. This document is much shorter, concise and reflects the independence of community councils. Perth and Kinross Council was the first Council in Scotland to adopt the model document. Perth and Kinross is an appropriate Council to benchmark with, being geographically similar to South Ayrshire but much larger with respect to population and budget. The Perth and Kinross 'Scheme' runs to just 37 pages including preface, table of contents etc. It is respectful of the independence of Community Councils and does not impose 'governance' on Community Councils. In Perth and Kinross, Community Councils effectively self-govern provided they maintain the statutory minimum number of members.

2.4 Secondly, our response raised deep concerns over the requirement of South Ayrshire Council to be 'Compliant'. The existing 'Scheme' requires Compliance with South Ayrshire Council and consequently undermines the role of a Community Council as an independent body.

2.5 Thirdly, South Ayrshire Council maintains a bureaucratic and complicated Complaints process. Perth and Kinross Council addresses this with the simple position that complaints will be passed to community councils and the Council will play no role in this. This statement clarifies that Community Councils are self governing and independent.

2.6 Following the lengthy period of document development and further consultations, Dundonald Community Council is dismayed to find that the above issues have actually been made more onerous. Details of our concerns are listed below.

3.0 Comments on current draft Scheme

3.1 Introduction - comments

Text in the Model Scheme

'Community councils have a statutory right to be consulted on applications for planning permission and have a key role as per the Planning (Scotland) Act 2019 in engaging with the statutory planning system.'

Additional Text in SAC version

'Community Councils may also undertake other functions within the terms of their Constitution. It is the responsibility of a Community Council to satisfy South Ayrshire Council that it has taken positive steps to ascertain the views of the wider community within their area, before making representations on any matter, on behalf of the community, which for the most part is comprised of residents.'

It should be remembered that a Community Council can only act collectively. The law does not permit individual Community Councillors any special place to act independently.'

3.2 The above addition to the introductory paragraph in the SAC Scheme clearly implies that the Council is applying governance to a Community Council through requiring evidence of decision making before accepting a Community Council response. We recognise that Community Councils are imperfect, we try and sound out communities before articulating

views. It is a fact however that few people engage with local issues, the Community Council can endeavour to engage through meetings etc but we cannot prove beyond reasonable doubt that the views we express are fully representative of the local community. On almost any matter, the Council could reject our position on the grounds that we cannot prove we have fully engaged.

3.3 This test of compliance is wholly at odds with the position in respect of paid elected members of the Council. Elected Members may represent their communities without requirement to provide evidence. Indeed many decisions made by the Council are reflective of political party lines and have little bearing on community views.

3.4 Dundonald Community Council considers that our role is compromised by the conditions SAC have added into the Model Scheme Introduction.

3.5 Section 10 **Compliance** - comments

3.6 SAC have added in a lengthy section on compliance which is not in the 'Model' Scheme. SAC at Service Lead level and without Committee approval, can place a Community Council into 'Supported Status'. It can do this if the Service Lead considers that the Community Council is not complying with the scheme. In consequence, a Community Council becomes a Steering Group and ceases to have a statutory role in consultation. The decision can be appealed, again only by reference to a Council Officer not a Committee. This clearly imposes hierarchical governance on Community Councils. This governance imposes officer control over democratically elected local community councillors. It is the view of Dundonald Community Council that this aspect of the Scheme, as well as being an insult to the independence of an unpaid body of volunteers, breaches the terms of the Local Government (Scotland) Act 1973.

3.7 Section 10 **Complaints** - comments

3.8 Section 10 of the SAC Scheme refers to **Appendix 6, the Complaints** process.

3.9 Again this is an addition to the 'Model' Scheme. As discussed previously Perth and Kinross Council advises in its Scheme that complaints will be directed to and dealt with by Community Councils.

'extract from Perth and Kinross approved Scheme:-

11. Complaints, Community Councils are responsible for dealing with any complaints made about their individual members' or collective conduct. Any complaints that are sent to Perth and Kinross Council will be passed onto the appropriate Community Council. Perth and Kinross Council has no official role in dealing with complaints but has produced a guidance note that can offer some guidance and assist community councils in dealing with a complaint.'

3.10 By contrast, Appendix 6 of the SAC Scheme comprises some five pages of complex bureaucratic procedures. It is comparable to the Complaints procedure of a large corporate body. It is not consistent with a volunteer body with very limited powers other than to 'express a view'. Significantly, there are a large number of grounds which are acceptable as complaints.

Most do not apply to the Council's complaints procedure with respect to elected members. In particular, the ground for complaint "Bringing the Community Council into disrepute eg misrepresenting the views and interests of the local community' does not apply to the Council and would not be acceptable as a valid complaint under the Council's complaints procedure. This ground for complaint is almost wholly subjective.

3.11 How could a complaint which claims misrepresentation of a community be tested without evidence of a major piece of work such as a Referendum. It is also the case that if a Community Council were to oppose a planning application, a developer would simply file a complaint that the Community Council 'misrepresented the Community'. This would nullify the Community Council position in both the Council decision making process and any subsequent Appeal. As an example, Dundonald CC recently supported the Council in an Appeal against the refusal of wind turbines close to Dundonald Castle. The Community Council provided supporting evidence at the Appeal Hearing. If the current proposal for the Scheme was to be ratified, the developer would simply file complaint and the Community Council would be neutralised until a lengthy and costly bureaucratic process of investigation had been completed. This does not in any way support the independent status of a Community Council and runs counter to local democracy.

3.12 It is also the case that the approach South Ayrshire Council is taking, is resource intensive on Council services. South Ayrshire Council was criticised in the 24/25 report by Audit Scotland for unsustainable financial management through over use of reserves. The report states '*There are no plans in place yet to identify how the medium term budget gaps will be filled.*' **Dundonald Community Council consider that South Ayrshire Council should look to Perth and Kinross Council who are praised by Audit Scotland in the 24/25 Audit report which states '*Appropriate arrangements are in place for financial sustainability despite the challenging financial environment in which the council is operating.*'**

4.0 Conclusion

4.1 In conclusion, the Community Council does not support the draft Scheme for the Establishment of Community Councils in its current form. Dundonald Community Council considers that the draft scheme would be a significant disincentive to new volunteers, is undemocratic, unnecessary and wasteful of valuable Council resources. There is also a feeling amongst existing Community Councillors that 'enough is enough'. We give time and effort freely, we are not corporate employees. We strongly urge South Ayrshire Council to reconsider the current draft and revert to a Scheme which aligns more closely with the model Scheme as approved by Scottish Government and COSLA and adopted by Councils like Perth and Kinross Council.

Dundonald Community Council

17th Jan 2026

Response received via email on 13th January 2026.

Claire Erskine – Ballantrae Community Council

Good afternoon,

My initial thoughts are very positive and I appreciate the work that has gone into this to make our job as community councillors and office bearers easier.

Some things I noticed whilst reading -

- Associate members - This would be Ruby as minute sec, Laura as advisor, colin as accounts all members with no voting rights (we were doing this as co-opted with no voting rights but makes it official)
- Recorded meeting (with consent), makes ruby's job a lot easier for minutes.
- Quorum 3 or 1/3rd of voting members, we rarely fall below quorum but this will assist when like before the holidays due to illness and work commitments we had to cancel.
- Travel expenses and minute secretary payments all covered in the scheme.
- I also noticed that we can raise money and use it so that would cover our big Fun on the foreland event last year and money can be banked and used for the following year.
- An agenda for the AGM, great addition after me making one myself last year.

Further Responses regarding suggested changes:

[Community Engagement 2](#) • [2026-01-16 16:46:39](#)

In relation to the Admin Allowance This list is not exhaustive and enquiries regarding acceptability of items other than those noted above should be referred to the Service Lead, Thriving Communities of South Ayrshire Council. AD

[Community Engagement 2](#) • [2026-01-16 16:45:22](#)

“Community Council membership should reflect the various wards within the council area. However, if there are insufficient nominations from a sub-ward during an election, or if representation is lacking, the Service Lead, Thriving Communities of South Ayrshire Council may, at the Community Council’s request, remove sub-warding within the affected areas”.

If the removal of sub-warding results in a vote, if there any candidates from the sub-ward wherein there are insufficient nominations, any candidate from the sub-ward wherein there are insufficient nominations will be deemed elected prior to any further vote. AD

[Community Engagement 2](#) • [2026-01-16 15:08:07](#)

“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 their council, other public sector bodies and private agencies on matters within their sphere of interest”.

including common town centre projects and major traffic flow routes affecting all residents of a localised associated town. AR

[Community Engagement 2](#) • [2026-01-16 15:12:31](#)

“Each new Community Council is required to adopt a constitution. A standard template is provided in Appendix 2, together with a standard template for Standing Orders provided in Appendix 4, to encourage and facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. Community Councils have the power to change the Constitution and Standing Orders subject to approval by South Ayrshire Council”.

‘are properly debated and decisions reached in a democratic manner’. This is open to opinion what is ‘properly’. This is a potential opening for a can of worms. This can attribute far too much work for a CC to organise. It should be sufficient to publish proposals on designated noticeboards and media via agendas and have anyone to make comment via email or in person prior to or at a meeting and a vote to take place by an attending quorum of members at a meeting. The public are encouraged to participate in CC business via this medium. AR

[Community Engagement 2](#) • [2026-01-16 15:09:31](#)

“Have in place consultative mechanisms to ascertain, co-ordinate and reflect the views of all sectors of the community which it represents. Community Councils should liaise with other community groups within the area and seek to fairly express and consider the diversity of opinions and outlooks of the people within the course of the community council business”. Most of our decisions are of low overall priority. Say for example to buy a bench for a particular location. This clause is then rather over the top for this example and therefore not discerning enough. If the SG or Council were to propose 20mph throughout a large area of our remit then it should be sufficient to publicise this fact and ask for email comments over a period of time. This then puts the onus on the public to participate. The council never ensures that their consultation reach all and responses can be as low as a few percent and really not a reflection of all at all. Open to opening a can of worms. AR

[Community Engagement 2](#) • [2026-01-16 15:13:18](#)

“Review the Scheme, both periodically and in response to representations made, and where amendments are required to propose, consult, and vote on those amendments in terms of section 53 of the Local Government (Scotland) Act 1973”.

Each representation is considered on merit and on operational necessity for timely implementation into the S of E. We must avoid SAC saying as they have in the past, no one else has complained or made that suggestion as a way of a non-timely implementation. The S of E is a live publication and should be updated promptly. AR

[Community Engagement 2](#) • [2026-01-16 15:14:14](#)

“Any request to create a new or amend existing Community Council boundaries by (1) the merging of 2 community council areas or (2) changing the boundaries of existing Community Councils must be made in writing to South Ayrshire Council. Such request should demonstrate local support for the proposal, including the agreement of existing Community Council(s)”

unless it is deemed by SAC as an obvious nonfunctioning boundary error. AR

[Community Engagement 2](#) • [2026-01-16 15:14:55](#)

“The first minuted meeting in April of each Community Council following, the four yearly Full Election, shall be a meeting of the newly elected members only convened by a representative of South Ayrshire Council (usually the Link Officer) or an Elected Member within 30 days from 1st April. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing Community Council”.

A regular meeting of the CC may then take place with newly elected office bearers in place thereafter. AR

[Community Engagement 2](#) • [2026-01-16 15:15:27](#)

- Promoting the Community Council within the Community one example Communal Christmas tree and lights

- Donations to Groups (max £150)

Clarify here required ‘Community Groups’ max £150/group? Or to all Groups max £150? If the latter, this should increase £250 to groups \geq to 3.

- An amount of (max £150?) carry over into the next year AR

[Community Engagement 2](#) • [2026-01-16 15:16:52](#)

“An initial decision on supported status can be appealed in writing to the Chief Governance Officer of South Ayrshire Council within 14 days of the decision being notified to the Community Council (the initial notification and any appeal should be in writing, in the form of a dated formal email and/or letter)”.

Some leeway may be extended for a CC in recess on notification of the latter to SAC. AR

“Prior to such a recommendation being made to the Council of South Ayrshire Council, the Community Council will be advised in writing and given 14 days from the date of the notification to make written representation to the Chief Governance Officer of South Ayrshire Council, as to why such a recommendation should not be made”.

Some leeway may be extended for a CC in recess on notification of the latter to SAC

Not on Consul Appendix 1 Map – consider providing links to larger individual area maps

[Community Engagement 2](#) • [2026-01-16 15:17:56](#)

“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;”

who engage with Community Council members or through local media from which CC members could be made aware of such views. AR

“to express the views of the community to the local authority for the area to public authorities and other organisations:”

to this end local Ward Councillors are therefore encouraged to attend CC meetings as often as possible.

[Community Engagement 2](#) • [2026-01-16 15:19:08](#)

AR (a) Where a vacancy arises, the Community Councillors can agree to fill the vacancy in accordance with Scheme Clause 4 relating to Co-option, initially from a reserved list and subsequently from wider advertising. South Ayrshire Council requires to be notified if the membership falls below half.

[Community Engagement 2](#) • [2026-01-16 15:20:45](#)

“The Community Council may appoint Community Councillors to sub-groups of the Community Council and shall determine their composition, terms of reference, duration, duties, and powers”

and ratified within minutes. AR

“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”.

Date obtained and value or approximate value against an asset should be recorded with any receipt of purchase kept by the secretary. AR

[Community Engagement 2](#) • [2026-01-16 15:51:29](#)

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

“You have a duty to take decisions solely in terms of the interests of the community that you represent”

and seek the collective majority view of your other Community Councillors where appropriate. AR

[Community Engagement 2](#) • [2026-01-16 15:52:15](#)

“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 **written or verbally witnessed** and opinions from any views or statement made about or on behalf of the Community Council.” AR

Further Queries

“Harassment is any unwelcome behaviour or conduct which has no legitimate purpose and which makes someone feel (**arbitrary**) offended, humiliated, intimidated, frightened and/or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

Harassment can take the form of unwelcome physical contact; inappropriate remarks or questioning; intrusive questioning; and the sending of unwelcome emails, messages, or notes. This is by no means an exhaustive list.

Bullying is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated, or insulted. It is the impact of the behaviour rather than the intent which is the key. Bullying can arise because of an individual misusing their power and can occur through all means of communication. Bullying can be a pattern of behaviour or a one-off serious incident that becomes objectionable or intimidating. This can include the unwelcome physical, verbal, or non-verbal conduct; intimidatory behaviour; disparaging, ridiculing or mocking comments and remarks; physical violence; deliberately excluding an individual from conversations or activities in which they have a right or legitimate expectation to participate. This list is not exhaustive”.

Offended can be attributed to a personal whim. The word cannot be used as definitive in all cases; it is open to malicious abuse and interpretation. WOKE

All of this section can be very subjective by the recipient of the degrees of acceptance by any one and differing individuals. By writing down too much information you are giving too much to actual interpretation without concern of the circumstances which may also be of relevance and again far too much opportunity for malicious intent in a complaint for example.

Where is the balance, the fairness? If you want to write this then you must have a section here on malicious accusations of harassment, offensive, bullying, humiliated, intimidating etc and how this may be judged. AD

Not noted on Consul

“1.3 This list is not exhaustive. These issues cannot be dealt with and will not be progressed as complaints. Individuals will be redirected accordingly,”

if necessary. Where will they be redirected to? and Who will be the initial arbiter in this regard?
AD

You can complain **with accompanying evidence and/or circumstance** about things

Community Engagement 2 • 2026-01-16 15:53:07

“Some complaints, while simple and straightforward will not be suitable to be handled by the Community Council themselves (**why?**) due to the involvement of office bearers. In such cases, the Senior Communities Officer will progress this to a stage 2 procedure”.

Does this mean where more than one office bearer is subject of the complaint ie plural? If only one is involved I see the remaining CC members are quite capable of handling the complaint at stage 1. If SAC like, they can incorporate the presence of a link officer observer. Stage 2 takes far too long and is too cumbersome and wastes everyone’s time. Maybe you need to take out the words ‘due to the involvement of office bearers’ and leave it at that. Possibly add in CC themselves ‘as determined by the Senior Communities Officer’. 7.4 as it is, is not progress in this new document, makes no sense at all for something that is simple and straight forward to go to stage 2 where a decision is already made in 7.2. AR

[Community Engagement 2](#) • [2026-01-16 15:54:44](#)

“Where it has not been possible to resolve the complaint or the complainant is not satisfied with the outcome, they can request that the Senior Communities Officer progress their complaint to a Stage 2 procedure”.

No, No, No, It should not say without clarification to, ‘or the complainant is not satisfied with the outcome’ They must explain why they are not satisfied having presented their corroborative evidence and circumstances without hearsay in the first instance and what explanation in the CC reported outcome they are not satisfied with and why with reasoning and without introducing new evidence. If new evidence is introduced the full complaints process is restarted with all parties contributing. Did we not learn anything from my experience? It can’t just be they are not satisfied with the outcome, decided by a panel of CC members without material reason.

[Community Engagement 2](#) • [2026-01-16 15:55:25](#)

“The Senior Communities Officer will identify where the complaint is valid and relates to a Stage 2 procedure and advise the parties. They shall notify the Community Council or Community Councillor concerned and the complainant that they have up to seven (7) days to provide a written statement to support their position and that the written statements would form part of the information provided to the Complaints Panel,

whilst in stage 1 the text of the complaint is written and the corroborative evidence and circumstances is written. Here the accused can respond to the complaint in writing for the hearing in a stage 1 determination. Here in Stage 2 there doesn’t seem there is any provision for the accused to respond to the statement supporting the complaint or indeed the further statement before it goes to the panel. This is fundamentally wrong particularly if it has been determined to go straight to stage 2 by 7.2 or a further statement of why the complainant is unsatisfied was not shown to the accused prior to it going to the panel of 3. It is also worthwhile asking parties for a circumstances statement”. AR

[Community Engagement 1](#) • Author • [2025-12-18 10:26:50](#)

Brought forward from previous consultation

“Q. p8 2.23 CC member who has declared financial or other interest in relevant matters coming before the CC - The CC member could assume the rights of a member of the public, and give comment but not be involved in the decision making process as a community councillor on that matter?

R. The Community councillor cannot choose to assume the rights of a member of the public. They are for the purpose of the proceeding a member of the community council with the power to make and influence decisions on the matter, it is for this reason that if they have an interest in the relevant matter being discussed, they must declare and withdraw from the proceedings and discussions involved in making the decision, to avoid the accusation/perception of bias/undue influence or swaying the decision their way.

Therefore, will remain as it is in the final draft proposal”.

[Community Engagement 1](#) • Author • [2025-12-18 10:17:43](#)

“Brought forward from previous consultation

Q 4.4 Co-opted members must be eligible for membership of the Community Council as detailed in Section 2 of the Scheme. In addition, they must have attended some previous CC meetings. Reserves may initially be taken from the 4 yearly elections if still available and thereafter there is a need to advertise for co-option.

R. Scheme section 2 details eligibility for membership, there should be no additional eligibility criteria for Co-opted members, as the community councillor membership does not require them to have attended some previous meetings before standing for election to become members, then should not be mandated for co-opted members”.

[Community Engagement 1](#) • Author • [2025-12-18 10:07:20](#)

“Brought forward from previous consultation

Q. 12. Complaints There needs to be a statement that complaint procedures should not appear in regular minutes when the complaint is internal to CC members or indeed made by a member of the public??

R. To be added to Good Practice Guidance

While not all details need to be discussed at a public meeting or recorded in full in the minutes, the minutes should acknowledge when a complaint has been received and note how it is being dealt with, including any updates as the process progresses. The outcome should also be recorded in the minutes once the process is complete.

Q. What constitutes a breach and what constitutes a serious breach?

R. Providing a definite response is hard since each complaint requires its own individual consideration.

Q. When is it appropriate to arbitrate just by the Chair, do we really need to say chairperson?

R. No, we don't, proposed changing all references to Chairperson to Chair throughout the document”.

Response from Barr Community Council received 21st January 2026

Response to Consultation on the Draft Scheme of Establishment

Barr Community Council does not support the draft Scheme in its current form.

The document has made a community council a more pointless endeavour. It appears carefully engineered to consolidate control by South Ayrshire Council over bodies that are supposed to exist to provide an independent local voice. What should be a light touch framework has instead become a dense administrative instrument whose primary beneficiary is South Ayrshire Council itself rather than the communities it purports to serve.

The tightening of the complaints framework and the expansion of compliance mechanisms continues to move any power away from community volunteers and towards unelected officers. The complaints process now resembles that of a large corporate or statutory body, not a

volunteer body whose only real function is to express opinion and represent local sentiment.

Similarly, the revised resignation and intervention mechanisms appear to have been drafted reactively in response to recent local disputes Barr. You would hope that frameworks are not supposed to be written in a huff, nor calibrated to soothe institutional bruised egos.

A far better alternative already exists.

Scotland's local authorities jointly fund the Improvement Service, whose suite of model documents for Community Councils has been formally approved by both COSLA and the Scottish Government. These model documents deliberately simplify language, reduce unnecessary bulk, and preserve the independence of Community Councils. A working, nationally endorsed template already exists but the fact that South Ayrshire Council has chosen to build out its procedural defences says a lot about the officers involved.

Barr Community Council urges South Ayrshire Council to withdraw the current draft and realign the Scheme with the nationally approved model. A Scheme should empower community participation, not regulate it into subjection.

Margaret Milligan – Prestwick Community Council 18th January 2026

Dear Jodie,

Prestwick Community Council would like to register the following comments on the above:

Paragraph 8.5 CC allowance refers to the annual allowance made by SAC to community councils. In our opinion there are at least two interrelated issues.

1. The fact that the allowance has been pinned back at £800.00 for more than 17 years. You will appreciate that the real value has been eroded significantly by inflation in the interim, making it a struggle to ensure basic functions are carried out. We would expect therefore that this matter would have been reviewed as part of the current process and the sum restored to an equivalent level in real terms. Thereafter the allowance should be updated on an annual basis.
2. Missing from previous reviews, we would now expect an explanation for why £800.00. What factors have SAC used to arrive at this figure, and how are they sustained and indeed justified?

We look forward to hearing from you.

Yours sincerely,
Margaret

Margaret Milligan

Secretary
Prestwick Community Council

South Ayrshire Council

Scheme for Establishment of Community Councils 2026

DRAFT

Incorporating Constitution, Standing Orders, Community Council Members Code of Conduct

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INTRODUCTION

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, produced the current system of unitary local authorities and made provision for the continuation of Community Councils. Under the legislation, every local community within an identified Community Council boundary area in Scotland is entitled to Petition their local authority to establish a Community Council.

Community Councils are voluntary bodies which exist within a statutory framework, and which have been granted statutory rights of consultation. They can complement the role of the local authority but do not form any part of local government.

Community Councils may also undertake other functions within the terms of their Constitution. It is the responsibility of a Community Council to satisfy South Ayrshire Council that it has taken positive steps to ascertain the views of the wider community within their area, before making representations on any matter, on behalf of the community, which for the most part is comprised of residents.

It should be remembered that a Community Council can only act collectively. The law does not permit individual Community Councillors any special place to act independently.

STATUTORY PURPOSES

The general purpose of Community Councils established under the Scheme is 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”

ROLE & RESPONSIBILITIES OF COMMUNITY COUNCIL

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

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the Community Councils will have in place, recognised consultative mechanisms, to validate their views and devise strategies to secure greater involvement by all sectors of the community. The National Standards for Community Engagement are a helpful resource and are available at <https://www.scdc.org.uk/what/national-standards/>

Role

- a. Community Councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between Community Councils, South Ayrshire Council and other public sector and private agencies.
- b. Community Councils are a community participation body under the Community Empowerment Act 2015 and may make requests in relation to the following provisions:
 - Part 3 Participation Requests
 - Part 4 Community Right to Buy
 - Part 8 Common Good
 - Part 9 Allotments.
- c. 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 South Ayrshire Council's Scheme for Establishment of Community Councils.
- d. There should be mutual engagement in the establishment of working relationships with South Ayrshire Council and other agencies.
- e. In carrying out their activities, Community Councils must always adhere to the law and the terms of the law and the terms of South Ayrshire Council's Scheme for Establishment of Community Councils.
- f. Each new Community Council is required to adopt a constitution. A standard template is provided in Appendix 2, together with a standard template for Standing Orders provided in Appendix 4, to encourage and facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. Community Councils have the power to change the Constitution and Standing Orders subject to approval by South Ayrshire Council.

Responsibilities

Community Councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community.

It is essential that these views are shown to be accurately representative of the community i.e. evidenced consultation; agendas and minutes from special meetings; questionnaire responses.

To fulfil their responsibilities as effective and representative, Community Council shall:

- a. Be non- political. Community Councils are non-political organisations and shall not demonstrate any political allegiance in their duties for Communities.
- b. Inform the community of their work through newsletter and online social media platforms, display agendas and minutes of meetings in public places (such as libraries and notice boards).
- c. Provide publicly available contact information such as names, email addresses and website links to enable members of the public to contact them.
- d. Have in place consultative mechanisms to ascertain, co-ordinate and reflect the views of all sectors of the community which it represents. Community Councils should liaise with other community groups within the area and seek to fairly express and consider the diversity of opinions and outlooks of the people within the course of the community council business.
- e. Agendas of meetings and draft minutes shall be made available for members, South Ayrshire Council, and public access within the Community Council area at least 7 working days prior to the meeting date (except in cases deemed to be an emergency meeting being called under the Special Meetings, see 7.13).
- f. Approved minutes of every meeting shall be distributed by the Community Council within 14 days to members, South Ayrshire Council and other interested parties within the area and including any social media platforms and website.
- g. Seek to broaden both representation and expertise by promoting the associate membership of the Community Council of persons (not eligible for election to the Community Council) for specific projects/issues.
- h. Make efforts to encourage young people and other underrepresented groups to attend/participate in Community Council meetings and to ensure equality of opportunity in the way the Community Council carries out its functions.
- i. Maintain proper financial records and present regular financial reports at Community Council meetings.
- j. Inform South Ayrshire Council of any change in membership (resignations, co-option, and associate membership) as soon as practicable and record any such changes in membership at the next ordinary meeting.

- k. Community Councillors have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in the '*Community Councils Code of Conduct*' and this governance document.

ROLES AND RESPONSIBILITIES OF SOUTH AYRSHIRE COUNCIL

Role

Create a Scheme for Establishment of Community Councils in South Ayrshire with the provision of boundary maps.

Responsibilities

- a. Arrange for establishment of Community Councils upon receiving 20 signatures of electors in that area in terms of section 52(7) of the Local Government (Scotland) Act 1973.
- b. Review the Scheme, both periodically and in response to representations made, and where amendments are required to propose, consult, and vote on those amendments in terms of section 53 of the Local Government (Scotland) Act 1973.
- c. To support Community Councils to conform to the requirements of this Scheme and provide structured support to Community Councils and their members.
- d. To arrange elections for Community Councils.
- e. To provide an administrative grant to cover administrative costs as per Scheme 8.7.
- f. To consult with and/or notify Community Councils on planning applications and licensing applications.

Within the resources available, South Ayrshire Council shall endeavour to:

- g. Provide a consistent level of support to Community Councils across the local authority area within available resources.
- h. Offer advice and assistance to Community Councils for development and training on such things as the duties and responsibilities of office bearers, the role of Community Councils, the functions of South Ayrshire Council and other relevant topics.

1. COMMUNITY COUNCIL AREAS WITHIN SOUTH AYRSHIRE

South Ayrshire Council has produced a list of named Community Council areas and a map that defines their boundaries. The list of community areas is specified in

Appendix 1 of the Scheme. These can be modified with the prior approval of South Ayrshire Council.

Any request to create a new or amend existing Community Council boundaries by (1) the merging of 2 community council areas or (2) changing the boundaries of existing Community Councils must be made in writing to South Ayrshire Council. Such request should demonstrate local support for the proposal, including the agreement of existing Community Council(s).

2. MEMBERSHIP OF COMMUNITY COUNCILS

- 2.1 Minimum core membership is 9 and maximum is 18.
- 2.2 The minimum age to stand for election as a Community Councillor is 16 years of age.
- 2.3 Qualification for membership is by residency within the specific Community Council area.
- 2.4 Community Council candidates for membership must be named on the current electoral register for the Community Council area in which they reside as a local government elector.
- 2.5 For the duration of your term as a Community Councillor, you must continue to meet the criteria.
- 2.6 Any previously eligible elected Community Councillors who move to reside out with the Community Council boundary area shall become ineligible to remain as a member of the Community Council. Under these circumstances, the Community Council shall actively seek to fill the vacancy.
- 2.7 The absolute minimum number of members for a Community Council to remain established is one half of its stated constituted membership. However, South Ayrshire Council should be advised immediately if the Community Council membership falls to half or less of its voting membership.
- 2.8 There shall be provision made for non-voting Associate Membership for purposes, as defined by each Community Council.
- 2.9 No elected member of South Ayrshire Council shall be eligible to be a member of a Community Council. If a member of a Community Council is so elected, they will be deemed to have resigned from the Community Council the day after the result of the Local Government election is declared.

- 2.10 Elected members of the Scottish and United Kingdom Parliaments are entitled to become ex-officio members of Community Councils, with no voting rights.

Disqualification of Membership

- 2.11 Members who cease to reside in the Community Council area will be deemed to have resigned.
- 2.12 If any member of a Community Council fails to attend a Community Council meeting in a 6-month period, with or without submitting apologies, the Community Council shall advise South Ayrshire Council and terminate their membership. However, at the discretion of individual Community Councils, a period of leave of absence for Community Council members may be granted at any meeting of the Community Council.

Additional Membership

Associate Member

- 2.13 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.
- 2.14 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.
- 2.15 Associate members may include representation from another constituted local voluntary organisations, young people, etc.
- 2.16 An associate member does not require to reside within the Community Council area.
- 2.17 A Community Council can appoint any number of associate members, and they do not count towards the total number of Community Councillors.
- 2.18 The attendance of any associate member at a meeting of the Community Council will not count towards the quorum for that meeting.

Ex-Officio Members

- 2.19 Local Authority Councillors, MPs and MSPs 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.
- 2.20 Ex-officio members shall have no voting rights and will not be entitled to be elected or nominated representatives of a Community Council.
- 2.21 The attendance of any Ex-officio member at a meeting of the Community Council will not count towards the quorum for that meeting.

Declaration of Members' Interests

- 2.22. All members, including Associate members shall declare all interests and/or make it known if their interests have been made available elsewhere and whether these are accessible to the Community Council.
- 2.23 All members shall declare in advance any financial or any other interest however minor that they may have in relevant matters coming before the Community Council. The member shall withdraw from the meeting during consideration of this item of business and shall take no part in the discussions or decision thereon. **All declarations are to be formally minuted.**

3. ELECTIONS

New Community Councils - Where No Community Council Exists

- 3.1 The forming of a new Community Council shall be initiated in an approved area on receipt of a Petition bearing the names of not less than 20 residents whose names appear on the Electoral Register, are aged 16 or over and live within the boundaries of the Community Council area. This is in accordance with section 52(7) of the Local Government (Scotland) Act 1973.
- 3.2 South Ayrshire Council shall, within not more than six weeks from the date of receipt of confirmation of a valid petition, organise wider consultation and engagement procedures to initiate the election process.
- 3.3 In the first instance, a steering committee and/or appropriate structure may be formed from amongst the 20 residents and be supported by a relevant officer to familiarise themselves with the Governance for Community Councils.
- 3.4 Each Community Council is required to adopt the Constitution which has been approved by South Ayrshire Council. Following adoption of the Constitution, on behalf

of the proposed Community Council, South Ayrshire Council can proceed with the establishment process.

Where a Community Council already exists

- 3.5 Where a Petition is received to start a new Community Council in an area where an existing Community Council operates, the proposal will be referred initially to the existing Community Council for comment before South Ayrshire Council determines whether action should be taken in terms of Section 53 of the Local Government (Scotland) Act 1973.

Election Process

- 3.6 Full Community Council membership elections shall be held every four years with the election process taking place during January to March. South Ayrshire Council shall conduct and administer Community Council elections, including By-Elections, where necessary.
- 3.7 Where the number of valid candidates received and verified is less than or equal to the number of advertised vacancies for the Community Council, then no contested election shall be held.
- 3.8 Where the number of valid candidates nominated to be Community Councillors is greater than the number of advertised vacancies, a period of 7 days will be allowed for anyone who wishes to withdraw and thereafter a contested election shall be organised and held by South Ayrshire Council.
- 3.9 Community Council membership should reflect the various wards within the council area. However, if there are insufficient nominations from a sub-ward during an election, or if representation is lacking, the Service Lead, Thriving Communities of South Ayrshire Council may, at the Community Council's request, remove sub-warding within the affected areas.
- 3.10 Should the number of candidates validly nominated, be below the MINIMUM required membership, no Community Council will be established at that time. However, that does not preclude South Ayrshire Council from issuing a second call for applications 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 applications.
- 3.11 The Service Lead, Thriving Communities, of South Ayrshire Council, shall act as Returning Officer for elections administered by South Ayrshire Council and shall be responsible for regulating the conduct of these elections. The decision of the Returning Officer on all matters of election and nomination procedures shall be final.

Contested Election Process

- 3.12 All persons who are resident in the Community Council boundary area; are 16 years of age or over, and whose names appear on South Ayrshire Council's Electoral Register for the same Community Council boundary area shall be entitled to vote for candidates in Community Council elections (alternative measures for identification and residency status of candidates may be undertaken upon request/approval of the individual in certain circumstances).
- 3.13 Elections shall be conducted by secret ballot of local electors, organised by South Ayrshire Council, as determined appropriate by South Ayrshire Council's Service Lead, Thriving Communities. Community Councils shall be elected on a simple majority basis.
- 3.14 Where, after counting the votes (including any re-count), two or more candidates have the same number of votes, the Returning Officer will break the tie by drawing lots. The candidate whose name is drawn will be treated as if they received one extra vote and will be declared elected.
- 3.15 Any ballot papers received after the close of poll will not be counted towards the vote.
- 3.16 Successful candidates should have their names (only) published for transparency within the community for a period of at least 21 days. Election results will be available on South Ayrshire Councils website, social media, and public notices.

Reserve List

- 3.17 Following a contested election, a reserve list shall be compiled consisting of candidates who were not elected but received votes. The list shall be ordered by the number of votes received, from highest to lowest. Should any 2 candidates receive the same number of votes, then a draw of lots would be used to determine priority on the list.
- 3.18 Only candidates who meet the eligibility criteria for election and, who were not elected due to insufficient votes, shall be included. Candidates must have indicated their willingness to be considered for future vacancies at the time of nomination or election.
- 3.19 In the event of a vacancy arising during the council's term, the Community Council may invite the next eligible candidate on the reserve list to fill the vacancy. If the candidate accepts, they shall be appointed without the need for a by-election or co-option. If the candidate declines or is no longer eligible, the next candidate on the list shall be approached.

3.20 The reserve list shall remain valid until the next scheduled election. The list shall be maintained by the Returning Officer. The reserve list shall be published alongside election results and made available on South Ayrshire Councils website, social media, and public notices.

3.21 The reserve list is void when it is exhausted or no candidate accepts the invitation, in which case, the vacancy shall be filled in accordance with a Co-option or an interim election as appropriate.

4. CO-OPTION - FILLING OF VACANCIES BETWEEN ELECTIONS

4.1 Vacancies on a Community Council may arise in the following circumstances:

- a. when an elected Community Council member submits his/her resignation;
- b. when an elected Community Council member ceases to be registered on the electoral register within the Community Council area;
- c. when a Community Councillor is elected as a Local Councillor, MSP, or MP;
- d. due to unreasonable non-attendance by a Community Councillor at scheduled Community Council meetings for a period of six months (Scheme 2.12).

4.2 Should a vacancy or vacancies arise on a Community Council between elections, it shall be a requirement that the Community Council in consultation with the Returning Officer shall firstly attempt to fill the vacancy using the Reserve list under Scheme 3.21. Where this fails, filling a vacancy can be undertaken through the co-option process. However, should circumstances arise that lead to the number of elected Community Councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held.

Co-option to Community Councils

4.3 Where the Reserve list is void, a person may be Co-opted onto a Community Council to fill vacancies that arise. Vacancies will first be advertised publicly, inviting expressions of interest.

4.4 Interested individuals will be required to complete a nomination form which will be passed to South Ayrshire Council for the appropriate checks to be carried out. They must also be

eligible for membership of the Community Council as detailed in Section 2 of the Scheme to be considered as Co-opted members.

- 4.5 Thereafter the Community Council will consider the application at the next Community Council meeting. If the Community Council agrees by a two-thirds majority of those members present and voting, to invite the person to fill the vacancy the nomination of the person must be proposed, seconded and minuted. A copy of the completed nomination should be submitted to South Ayrshire Council.
- 4.6 If there are more eligible applications than there are vacancies, a draw by lot must take place. The appointed officer, or in his/her absence someone other than a full member of the Community Council, should place all the individual names in an open container and draw out names until the number of vacancies existing have all been filled. Names drawn after the vacancies have been filled will be placed on a reserve list in an order of priority based on the draw.
- 4.7 Interested individuals not co-opted immediately may, subject to their consent, be placed on a co-option reserve list, valid for a period of up to 12 months. Should a vacancy arise during this period, the Community Council may invite the individuals in order of priority on the reserve list to be considered for co-option.
- 4.8 All co-option decisions, including the creation and use of a reserve list, shall be recorded in the minutes of the meeting. Interested individuals on the reserve list must be informed of their status and the duration of the list's validity.
- 4.9 Co-opted Community Councillors:
 - a. counts towards the quorum;
 - b. has voting rights, with the exception of voting on co-option of new members;
 - c. may hold office, except for Chair or Treasurer.
- 4.10 The number of co-opted members should not exceed a third of the current elected Community Council Membership. Should the ratio become greater due to any circumstances, South Ayrshire Council shall be informed and may determine arrangements thereafter for a by-election, where appropriate.
- 4.11 After 12 months from the date of their co-option to the Community Council, the co-opted member will become a full member with the same rights and this full member will no longer be counted within the ratio of co-opted members.

- 4.12 Where a Community Council has sub-areas and there is a vacancy in a sub-area, a co-opted member to fill that vacancy must come from the sub-area.
- 4.13 In the event of there being more nominations than the number of vacancies, a draw by lot must take place. The appointed Officer, or in his/her absence, someone other than a full member of the Community Council, should place all the individual names in an open container and draw out names until the number of vacancies existing have all been filled.
- 4.14 Co-optees who fill vacancies should have their names (only) published for transparency within the community for a period of at least 21 days.

5. RESIGNATIONS

- 5.1 Subject to Scheme 5.5, resignations of members must be submitted in writing by hard copy or by email to the Chair, stating the effective date of resignation. The effective date of resignation must not be retrospective.
- 5.2 If the Chair resigns, then they should notify the Vice-Chair and Secretary in the same manner.
- 5.3 Any notification of resignation received should be acknowledged by the recipient within 7 days or at the next scheduled Community Council meeting- whichever occurs first.
- 5.4 A copy of the resignation should be forwarded to South Ayrshire Senior Communities Officer to allow records to be updated.
- 5.5 If a resignation is made during a Community Council meeting and no written resignation is then submitted, if the resignation has been witnessed by the remainder of the members present at the meeting, then once formally minuted, the resignation will stand.

6. TERMS OF OFFICE OF COMMUNITY COUNCILLORS

- 6.1 Each Community Council shall hold 'Full' elections whereby all Community Councillors demit office and stand for re-election across their boundary area every 4 years in January-March.
- 6.2 Community Councillors elected during 'Full' elections are eligible to hold their position for the 4-year period until the next 'Full' election if they continue to conform to the requirements of this Scheme.

- 6.3 Community Councillors appointed as office bearers shall hold office for a period of 1 year and, at the AGM all office bearers shall stand down and they shall be eligible for re-election to hold office.
- 6.4 An individual may only hold one role within a Community Council at any given time either as a Community Councillor, a Co-opted member an Ex-Officio member or an Associated Member. Upon accepting a new role, the individual must resign from any previously held membership.
- 6.5 Community Councillors must continue to meet all eligibility criteria throughout their term of office.

7. MEETINGS

- 7.1 All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do so.
- 7.2 Notices for Community Council meetings will be published at least 7 working days before the meeting and will include the date, time, and location. Agendas and draft minutes will also be made available to members and the public within the Community Council area during this time.
- 7.3 The first meeting of each Community Council following, the four yearly Full Election, shall be convened by a representative of South Ayrshire Council (usually the Link Officer) or an Elected Member within 30 days from 1st April. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing Community Council.
- 7.4 In addition to ordinary meetings of the Community Council; an Annual General Meeting (AGM) shall be held in April/May of each year. Including the Annual General Meeting (AGM), the Community Council shall meet no less than 7 times throughout the year.
- 7.5 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and approved version made publicly available. Full and approved copies of minutes and associated papers should be forwarded electronically to South Ayrshire Council within 14 days from the date of the meeting which approved them as a true record. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

- 7.6 In instances of private discussions being held in whole or in part within a Community Council meeting, Community Councils must take recognition of the limitations within the GDPR regulations and acknowledge that an approved redacted minute may be made accessible to the public if appropriate; South Ayrshire Council reserves the right of access to a full and redacted copy of all minutes; of all present, such consent to be recorded in the written minutes.

Hybrid Meetings

- 7.7 Community Councils may decide to take an in-person, online or hybrid approach to their meetings, and the platform to be used for any meeting is for the Community Council to decide.
- 7.8 Virtual or hybrid meetings should be open to include members of the public.
- 7.9 Whether or not they are able to attend, proper provision must be made to afford members of the public the opportunity to address the Community Council.
- 7.10 An Agenda for the meeting shall be published in the usual way and all members of the Community Council and members of the public invited, in advance, to submit comments on any Agenda item to the Community Council's generic email address or by other appropriate means; such views to be considered by the members dealing with the items of business. Comments may also be submitted during the meeting itself, but the ability to receive comments in advance will assist the Community Council in managing a remote meeting.
- 7.11 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and the approved version made publicly available. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

Quorum at Meetings

- 7.12 The quorum for Community Council meetings shall be one third of the current voting membership of a Community Council (rounded up to next whole number), or 3 voting members, whichever is the greater.

Special Meetings

- 7.13 A Special Meeting, no more than 4 per annum, may be called by a simple majority of the total voting membership present and eligible to vote. See guidance for examples.

Sub-Committees

- 7.14 The Community Council may from time-to-time form sub-committees of at least two Community Councillors to consider specific matters.

- 7.15 The details of the remit and delegated powers of any committee should be agreed by a simple majority of Community Councillors and recorded in the Community Council minutes as soon as is practicable.

8. FINANCES

- 8.1 The financial year of each Community Council shall be provided for in the Constitution of each Community Council and shall be from 1st April to 31st March in each succeeding year to allow for the proper submission of an independently examined statement of accounts to the Community Council's annual general meeting on a specified date in April or May,
- 8.2 The administrative grant annual accounts of each Community Council shall be independently examined by at least one examiner appointed by the Community Council, who is not a member of the Community Council.
- 8.3 The Independent Examiner of the Community Council's accounts shall not be a relative of a member either by birth or marriage, nor in a relationship with or live in the same address.
- 8.4 Community Councillors who are bank account signatories may not be directly related by birth, marriage, civil contract, or co-habitation etc.

Annual Account of Administration Allowance

- 8.5 South Ayrshire Council will make an initial allowance for administration, to each Community Council within its area, based on the electorate of each Community Council on the following basis. The initial allowance will be awarded at Inauguration, and each Community Council will receive a top up allowance thereafter – which will be based on **approved** expenditure for the previous year.
- 8.6 Administration allowances shall be for Community Council administration only and/or promotion purposes only and shall not be expended on any other purpose. All decisions in relation to the expenditure of the administration allowance should be minuted.

8.7 The administration allowance is available to cover the cost in administering Community Council business which includes:

1. Advertising/general publicity and promotional activities
2. Accommodation/lots
3. Auditors fees
4. Consultation with the community
5. Data protection registration (ICO)
6. IT software/hardware/website construction and maintenance
7. Photocopying/printing
8. Stationery
9. Postage
10. Production and circulation of minutes, agenda and annual reports
11. Subscriptions
12. Telephone costs/ISP costs/ Internet Service Provider
13. Travel costs
14. Expenses for attending ceremonies
15. Subsistence
16. Purchase of a Wreath
17. Donations to Groups (max £150)
18. Honorarium

This list is not exhaustive and enquiries regarding acceptability of items other than those noted above should be referred to Senior Communities Officer, Thriving Communities.

8.8 Payment of the allowance will be made in accordance with a procedure determined by South Ayrshire Council. The following needs be submitted:

- a. Grant Application Form;
- b. up to date Bank Statement;
- c. copy of ICO Certificate;
- d. copy of Zurich Insurance Certificate;
- e. must have carried out a minimum of 6 Quorate meetings and have supplied to South Ayrshire Council minutes for all meetings held;
- f. a copy of the Community Council's Independently audited accounts;
- g. completed and returned the self-evaluation (RAG Analysis).

8.9 Each Community Council shall appoint a competent Independent Examiner annually (at the AGM) to examine the Community Council's accounts who may charge a reasonable fee for their services.

- 8.10 The accounts are required to be forwarded immediately, following their approval at the Community Council's Annual General Meeting in April/May, of each year.
- 8.11 South Ayrshire Council may, at its discretion and in consultation with the South Ayrshire Council's Chief Internal Auditor, in circumstances of unclear and/or substantial financial transactions, require the Community Council to produce records such as vouchers; receipts; account books for example to undertake a full audit of the accounts.
- 8.12 Community Councillors should be eligible to receive from their Community Council travel and reasonable out of pocket expenses which have previously been agreed by the collective membership.

Other Grants and Assets

- 8.13 Community Councils who identify projects or other purposes consistent with its functions are free to apply for grants from external funding bodies and other South Ayrshire Council Departments (when funds are available). Any payments from South Ayrshire Council Departments will be made in accordance with the procedure determined by the Council.
- 8.14 An inventory should be kept of all assets owned by the Community Council.

9. OTHER SUPPORT FOR COMMUNITY COUNCILS

- 9.1 South Ayrshire Council will provide each Community Council with a maximum of 13 "lets of premises" per year for the purpose of conducting their meetings. These "lets" will be provided in South Ayrshire Council properties wherever practicable, within the boundary of the Community Council area. Where South Ayrshire Council does not own suitable properties in a Community Council area, reasonable expenses for the hiring of a hall or other meeting place will be re-imbursed to Community Councils by South Ayrshire Council.

Training

- 9.2 South Ayrshire Council will endeavour to provide further assistance through online training, Link Officer support, conferences, and online information to enhance personal development.

Insurance

- 9.3 Insurance is required for a Community Council to be operational. All Community Councils should arrange their own insurance through the South Ayrshire Council approved provider. Community Councils must renew their policy and send proof of payment to South Ayrshire Council for reimbursement of the base expense. It is the responsibility of each Community Council to ensure that their contact details are up to date with the Insurance provider.
- 9.4 It is also the Community Councils responsibility to inform the Insurance provider of any activity that may be out with the regular scope of the policy. Costs above this which relate to additional activities should be met by the individual Community Council.
- 9.5 Where Community Councils own property or equipment, it is advisable that Community Councils have their own appropriate insurance cover.

Community Councils Registration with Information Commissioners Office (ICO)

- 9.6 Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back through the Administration Allowance.

10. COMPLIANCE

Supported Status

- 10.1 Where the number of Community Council members falls below the minimum number of members for a Community Council to remain established, as determined by Scheme Clause 2.7, the Senior Communities Officer, Thriving Communities will initiate the process for the Community Council to go into supported status provided they consult with the Community Council. The Service Lead, Thriving Communities, will determine whether supported status will be implemented.
- 10.2 In any other circumstances, the Senior Communities Officer, after reasonable consideration, and after consultation with the Team Leader, Thriving Communities, may determine that the Community Council is not complying with the requirements of the Scheme and will initiate the process for the Community Council to go into supported status. The Service Lead will determine whether supported status will be implemented.
- 10.3 When in supported status, the Community Council will become a steering group whose main task will be to consider matters and act as is necessary to ensure that the Community Council will, in the future, be able to comply with the requirements of the Scheme and continue with any live projects with support from the Senior Communities Officer.

- 10.4 Appropriate support costs, e.g. meeting venues, may be eligible for consideration of financial assistance from South Ayrshire Council.
- 10.5 In order for a Community Council to be in supported status, the Service Lead will give written notification of supported status to the Community Council stating the reasons and that the Community Council would be in supported status from the date of the written notification for a period of up to six months.
- 10.6 An initial decision on supported status can be appealed in writing to the Chief Governance Officer of South Ayrshire Council within 14 days of the decision being notified to the Community Council (the initial notification and any appeal should be in writing, in the form of a dated formal email and/or letter).
- 10.7 Any decision taken on an appeal by the Chief Governance Officer should be made available within 28 days of the dated receipt of said appeal. An appeal which is upheld can conclude with the Community Council's previous status being re-instated.
- 10.8 Following an appeal not upheld or not submitted within the 14-day timeline of an initial decision, the Community Council will revert to the status of a steering group.
- 10.9 Upon the steering group satisfying the Service Lead that the Community Council would be able to comply with the requirements of the Scheme, then the reinstatement to full Community Council status will be granted in writing from the Service Lead.
- 10.10 If the steering group are demonstrating insufficient progress towards satisfying the Service Lead that the Community Council will be able to comply with the requirements of the Scheme, then the period of supported status can be extended by an additional three months to enable further progress to satisfy the Service Lead that reinstatement to full Community Council status could be achieved.
- 10.11 If the steering group is unable to satisfy the Service Lead that the Community Council will be able to comply with the requirements of the Scheme within the nine-month period, the Service Lead may determine dissolution of the Community Council.

See Appendix 5 for full details on Supported Status

11. DISSOLUTION OF A COMMUNITY COUNCIL

- 11.1 Representations and/or decisions concerning dissolution of a Community Council should be considered as a last resort. In accordance with the Scheme, reasonable

efforts should be taken to engage every Community Council member in identifying and considering alternatives to dissolution.

- 11.2 Dissolution of a Community Council (except for voluntary dissolution as detailed below) can take place following supported status made in terms of Scheme Clause 10.11 above. Where, after a reasonable time, a Community Council remains unable to conform with the Scheme, a recommendation may be made by the Assistant Director Communities and Transformation to the Council of South Ayrshire Council to dissolve the Community Council.
- 11.3 Prior to such a recommendation being made to the Council of South Ayrshire Council, the Community Council will be advised in writing and given 14 days from the date of the notification to make written representation to the Chief Governance Officer of South Ayrshire Council, as to why such a recommendation should not be made.
- 11.4 Where no such representation is received within 14 days, or where having considered such representation, the Chief Governance Officer confirms said recommendation, a report recommending dissolution of the Community Council shall be submitted to the Council of South Ayrshire Council in line with Scheme 11.2.
- 11.5 The Council of South Ayrshire Council shall consider the above report and may decide to either follow the recommendation and dissolve the Community Council or it may decide to re-instate the Community Council. In event of either decision, the Community Council will be deemed to have been dissolved or re-instated with immediate effect
- 11.6 The dissolution will be intimated by South Ayrshire Council, by giving appropriate public notice, including on the South Ayrshire Council Community Council web page.
- 11.7 Where South Ayrshire Council has reasonable grounds to believe that a Community Council has been 'abandoned', and is no longer functioning, then the Service Lead will notify the Assistant Director of Communities and Transformation. Depending on the circumstances the Assistant Director may report the matter to the Council of South Ayrshire Council and issue appropriate public notice.
- 11.8 Where, for any reason, the number of Community Council members falls below the minimum number of members for a Community Council to remain established, South Ayrshire Council Service Lead will put the Community Council into supported status and may recommend to the Assistant Director of Communities and Transformation the subsequent dissolution of the Community Council.
- 11.9 In the event of the dissolution of a Community Council, all assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain

whether a future Community Council becomes established in that area. Following this period, all assets will be subsumed into South Ayrshire Council.

Voluntary Dissolution by Resolution of the Community Council

- 11.10 If the Community Council, by a two-thirds majority of the present and voting membership and present at the meeting, decides that it necessary or advisable to dissolve the Community Council, it shall agree a date for a Special Meeting to discuss the proposal to dissolve.
- 11.11 It is a requirement that at least 7 days' notice is given prior to the date of such a Special Meeting. With public notices located in appropriate local venues and/or websites or other social media.
- 11.12 If the proposal is supported by a two thirds majority of those voting members present at the Special Meeting, the Community Council shall be deemed to be dissolved with immediate effect, and the decision is subsequently notified to South Ayrshire Council within 7 days.
- 11.13 In the event of the dissolution or voluntary dissolution of a Community Council, all assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain whether a future Community Council becomes established in that area. Following this period, all assets will be subsumed into South Ayrshire Council.
- 11.14 In the event of the dissolution of a Community Council, within 10 working days (or such time agreed by the Senior Communities Officer), the former office bearers of the Community Council must:
1. Deliver all papers, minute books and digital information to the Senior Communities Officer;
 2. Transfer all funds to the Council either by cheque (where no online banking is used) or electronically (Council bank details will be provided);
 3. Close the bank account(s); and
 4. Close any Community Council social media accounts.
- 11.15 After dissolution of the Community Council, the former members must not engage in or use any media or social media purporting to be representative of the Community Council.
- 11.16 In the event of a Community Council being dissolved, a new Community Council can be established after 6 months and in line with the process.

12. COMPLAINTS

Complaints about Community Councils and Community Councillors must relate to alleged breach of this Scheme and the Code of Conduct for Community Councillors. Such complaints must be dealt with in accordance with Appendix 6 on Community Council Complaint Procedure.

See Appendix 6 for full details on Community Council Complaints

13. EQUAL OPPORTUNITIES

- 13.1 Recognition should be given to the contribution of everyone participating in the work of the Community Council.
- 13.2 South Ayrshire Council further acknowledges that Community Councillors are volunteers who give up their own time to undertake the work of Community Councils.
- 13.3 Community Councils must comply with the Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill, and experience considered.

14. DATA PROTECTION – GDPR

- 14.1 South Ayrshire Council handle your information following the GDPR guidelines. A copy of the South Ayrshire Council privacy notice for Community Councils and an example privacy notice for Community Councils to adopt can be provided.
- 14.2 Community Councils should familiarise themselves with GDPR regulations to ensure that they comply with regulations when handling information regarding members etc.

Information Commissioner Office (ICO)

- 14.3 Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back through the Administration Allowance.

15. ALTERATIONS TO THE CONSTITUTION

- 15.1 Any proposal by the Community Council to amend its Constitution must be first considered and minuted at a meeting of the Community Council before representation is made to South Ayrshire Council.

- 15.2 Any proposal to alter its Constitution must be delivered in writing to the Secretary of the Community Council not less than twenty-eight days prior to the date of the meeting at which it is first to be considered. The terms of the proposed resolution to alter the Constitution shall be highlighted and stated on the notice calling the meeting.
- 15.3 If the resolution is supported by two-thirds of the elected membership of the Community Council and is approved (ratified), in writing, by South Ayrshire Council or its appointed officer, the alteration shall be deemed to have been duly authorised.
- 15.4 All proposed or actual alterations will require to conform to the Scheme.
- 15.5 The authorised amendment to the Constitution shall be stated on the 7-day notice calling the next meeting.

16. ACTIVITIES OF POLITICAL NATURE

- 16.1 Community Councils must always act in a politically neutral way. They must not engage in any activity that could be construed as supporting a particular political party or candidate. Community Council facilities and resources must not be used in support of a political party or candidate.
- 16.2 When acting in their role as Community Councillors, Community Council members must ensure that they do not engage in activities that may be considered to be of a party-political nature, at any time.
- 16.3 While Community Councillors may undertake political activities in a private capacity, any Community Councillor who becomes a prospective political candidate should take a leave of absence from the Community Council to prevent any risk of public confusion or perceived conflict of interest.

17. GOOD PRACTICE GUIDANCE

- 17.1 This Scheme can be read in conjunction with the Good Practice Guidance for Community Councils which provides additional information to assist Community Councils with interpretation of the Scheme. The Guidance document is subject to ongoing internal review by the Council.

APPENDIX 1



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Use this link to get a full map of your Community Council area <https://www.south-ayrshire.gov.uk/community-councils>

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

APPENDIX 2



South Ayrshire Council

Constitution for Community Councils

[Name of individual Community Council]

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

1. Name

The name of the Community Council shall be [insert name] Community Council, which will subsequently be referred to as “the Community Council” in this Constitution.

2. Area of the Community Council

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the local authority’s Scheme for Establishment of Community Councils.

3. Objectives

The objectives of the Community Council shall be to:

- (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

In the discharge of their functions and the conduct of their business, the Community Council and its membership shall have regard to their role and responsibilities as set out in the Scheme for Establishment of Community Councils, approved by the local authority and the Community Councillors’ Code of Conduct.

5. Membership

The COMMUNITY COUNCIL'S membership is as governed by Clause 2 of the Scheme for Establishment of Community Councils and as determined from time to time by the local authority.

6. Equality and Diversity

It shall be the duty of every Community Council to ensure that its general responsibilities and activities are carried out fully in accordance with current Equalities legislation.

7. GDPR 2018

It is the duty of every Community Council to comply with the General Data Protection Act (GDPR) 2018.

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8. Method of Election

Election procedures are governed by Clause 3 of the Scheme for Establishment of Community Councils.

9. Vacancies on the Community Council

1. Where a vacancy arises, the Community Councillors can agree to fill the vacancy in accordance with Scheme Clause 4 relating to Co-option. South Ayrshire Council requires to be notified if the membership falls below half.
2. The ratification of appointments of Co-opted members to fill the vacancy/vacancies rests wholly with the existing constituted membership, although the validation of nomination forms rests with South Ayrshire Council.

10. Associate Members

An associate member does not require to reside within the Community Council area and 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.

11. Voting Rights of Members of the Community Council

- (a) 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 Ex-Officio members or Associate members.
- (b) Although all Community Councillors hold the right to vote; a recommended approach to decision-making is working together to support Community Council's to make decisions based upon reaching a consensus.
- (c) Notwithstanding, and with the exception of instances relating to clauses of this Constitution, all decisions of the Community Council, which may require a vote, will be decided by a simple majority of those present and eligible to vote. **There is no provision for proxy votes.**
- (d) In the event of a vote of the Community Councillors that results in a majority not being achieved, the Chair shall have a casting vote.

12. Election of Office-Bearers

- (a) In April/May of each year, as part of the Annual General Meeting, the Community Council shall elect a Chair, Secretary and Treasurer and other such office-bearers as it may decide necessary e.g. Vice-chair, Minute Secretary, as well as a Planning and Licencing contact.
- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.

3. Every effort should be made to appoint one person to each position; however, it is permissible for one person to hold more than one office if necessary (e.g Secretary/Treasurer).

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13. Sub-Groups of the Community Council

The Community Council may appoint Community Councillors to sub-groups of the Community Council and shall determine their composition, terms of reference, duration, duties, and powers.

14. Meetings of the Community Council

- (a) The Community Council shall abide by the Scheme, Code of Conduct and Standing Orders to ensure the proper conduct of its meetings.
- (b) The quorum for Community Council meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- (c) In April/May of each year the Community Council shall convene an Annual General Meeting (AGM) for the purpose of receiving and considering the Chair's annual report on the Community Council, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (d) Including the Annual General Meeting (AGM), the Community Council shall meet no less than 7 times throughout the year.
- (e) Dates, times, and venues of regular meetings of the Community Council should be identified at the first meeting of the Community Council following the Annual General Meeting (AGM) and/or elections. Meeting arrangements can be subject to review by the Community Council periodically thereafter but no later than at the following year's AGM.
- (f) South Ayrshire Council has the discretion to call a meeting of the Community Council at any time.
- (g) Copies of all minutes of meetings of the Community Council and of sub-groups thereof shall be approved at the next meeting of the Community Council.
- (h) A draft minute shall be circulated at least 7 days prior to its next meeting, to Community Council members, other appropriate parties, and South Ayrshire Council Senior Communities Officer for Community Councils.
- (i) An approved minute will be forwarded to South Ayrshire Council within 14 days of the date of the meeting.
- (i) 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.

- (j) Special Meetings shall require at least 7 days public notice and the wording of the motion calling the meeting should be set out on the agenda.
- (k) All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do so e.g. internal Governance matters, complaints, etc.

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15. Public participation in the work of the Community Council

- (a) All meetings of the Community Council and its committees shall be open to members of the public. Proper provision is to be made 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 Chair.
- (b) Notices calling meetings of the Community Council and its committees shall be posted prominently within the Community Council area for a minimum period of 7 days before the date of any such meeting, and, where possible, be advertised by other suitable means including Community Council or local authority websites and social media channels where available.

16. Information to South Ayrshire Council

- (a) South Ayrshire Council shall be sent minutes of all meetings; the annual chair's report; the Independently Examined Statement of Accounts and any other information, as may reasonably be required by South Ayrshire Council.
- (b) When Special Meetings of the Community Council are to be held, South Ayrshire Council should be advised of the date, time, venue, and subject(s) of debate at such meetings 7 days in advance of the meeting date.
- (c) In relation to the Special Meeting at 15(b) above; South Ayrshire Council may appoint an officer to act as the principal point of contact for matters relating to the Community Council if required.

17. Control of Finance

- (a) The Treasurer shall keep proper accounts of the finances of the Community Council.
- (b) All monies raised by or on behalf of the Community Council or provided by the local authority and other sources shall be applied to further the objectives of the Community Council and for no other purpose. The monies provided by the local authority 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.
- (c) Any two of the three authorised signatories, who need not be office-bearers of the Community Council, may sign cheques on behalf of the Community Council; the Treasurer should assume one of the three authorised signatory roles. Authorised signatories may not be related by birth, marriage, civil contract, or co-habitation.

- (d) A statement of accounts for the last financial year, examined by a competent independent examiner appointed by the Community Council, who are not members of the Community Council, shall be submitted to the April/May Annual General Meeting of the Community Council and shall be available for inspection.
- (e) The financial year of the Community Council shall be from 1 April in any year until 31 March in the succeeding year. An independently examined statement of accounts as received and approved by the Community Council should be submitted to South Ayrshire Council following the Community Council's Annual General Meeting.

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18. Assets

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.

19. Alterations to the Constitution

- (a) 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 7 days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for Establishment of Community Councils.
- (b) If the proposal is supported by two-thirds of the total voting membership of the Community Council and is approved in writing by the local authority, the alteration shall be deemed to have been duly authorised and can then come into effect.

20. Supported Status and Dissolution

- (a) Where for any reason it is deemed by South Ayrshire Council that a Community Council is not conforming to the Scheme, South Ayrshire Council can put the Community Council into supported status in terms of the Scheme Clause 10-
- (b) 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 given by means of notification in the local newspaper as well as through Community Council and local authority websites and social media channels, where available. 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 local authority, after the satisfaction of any proper debts or liabilities shall transfer to the local authority who shall hold same in Trust for a future Community Council representing that area for 12 months.
- (c) 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 Council for the area, these electors shall submit a requisition to the local authority 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 Establishment of Community Councils.
- (d) Where for any reason, the number of Community Council members falls below the minimum specified in the Scheme for Establishment of Community Councils

the local authority 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.

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APPENDIX 3



South Ayrshire Council

Code of Conduct for Community Councillors

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

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CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

The Code of Conduct for Community Councillors is largely based on the Code of Conduct for South Ayrshire Council councillors and relevant public bodies as provided for in:

1. ***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 agreed and minuted as representing the Community Council. These principles are as follows:

1. ***Service to the Community (Public Service)***
2. ***Selflessness***
3. ***Integrity***
4. ***Objectivity***
5. ***Accountability and Stewardship***
6. ***Openness***
7. ***Honesty***
8. ***Leadership***

1. ***Service to the Community (Public Service)***

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 South Ayrshire Council's Scheme for Establishment of Community Councils (2026) (the 'Scheme'), as set out by South Ayrshire Council 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; 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 enable the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should be made available where appropriate.

2. Selflessness

You have a duty to take decisions solely in terms of the interests 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.

3. 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.

If you have any such private and/or personal interest in a matter to be considered by the Community Council, you have a responsibility to declare this and if deemed necessary by other members, withdraw from discussions and the decision-making process regarding that matter.

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 and Treasurer of the Community Council.

4. Objectivity

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, by 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.

5. 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 South Ayrshire Council's Scheme for 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 South Ayrshire Council's Scheme.

Community Councillors 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.

Draft 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 and no later than 7 days prior to the next meeting.

Any breach of the Council's Scheme for Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

6. 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.

7. Honesty

You have a duty to act honestly. You also have an obligation to always work within the law. 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.

Community Councillors must not bring themselves or their Community Council into disrepute through their actions, public discussions, or communications, including anonymous online activity or commentary that would otherwise breach this Code.

8. 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 groups' concerns conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

9. 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 always. This should extend to any person, regardless of their position, you have dealings within 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 including the Equality Act 2010 and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill, and experience considered.

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.

You must behave openly and honestly, treating fellow Community Councillors, ex-officio members, council officers, and community members in a positive, respectful, and non-discriminatory manner always, including at meetings and in online spaces. Community Councillors must support and respect the roles of office bearers and refrain from undermining their confidence or authority. Personal attacks, ridicule, or conduct intended to humiliate others whether in person, during meetings, in correspondence, or on social media will be considered a serious breach of this Code.

Bullying or harassment is completely unacceptable and will be a breach of the Code.

Harassment is any unwelcome behaviour or conduct which has no legitimate purpose and which makes someone feel offended, humiliated, intimidated, frightened and/or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

Harassment can take the form of unwelcome physical contact; inappropriate remarks or questioning; intrusive questioning; and the sending of unwelcome emails, messages, or notes. This is by no means an exhaustive list.

Bullying is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated, or insulted. It is the impact of the behaviour rather than the intent which is the key. Bullying can arise because of an individual misusing their power and can occur

through all means of communication. Bullying can be a pattern of behaviour or a one-off serious incident that becomes objectionable or intimidating. This can include the unwelcome physical, verbal, or non-verbal conduct; intimidatory behaviour; disparaging, ridiculing or mocking comments and remarks; physical violence; deliberately excluding an individual from conversations or activities in which they have a right or legitimate expectation to participate. This list is not exhaustive.

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APPENDIX 4



South Ayrshire Council

Standing Orders

for Community Councils

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire Council

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1. Meetings

1. All meetings of Community Councils are open to members of the public subject to Clause 7.1 of the Scheme.
2. The frequency of meetings will be determined by each Community Council, subject to Clause 7.4.
3. Ordinary meetings of the Community Council should ideally be held on the same day in each of the months where a meeting is scheduled.
4. 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 South Ayrshire Council by the Secretary of the Community Council, at least 7 days before the date of the meeting.
5. Special Meetings may be called at any time under Clause 7.13 of the Scheme for Establishment of Community Councils.

2. Minutes

Minutes of the proceedings of a meeting of the Community Council shall be drawn up timeously and be distributed in accordance with the Community Councils Responsibility's Part e of the Scheme for Establishment of Community Councils and be submitted for approval to the next meeting of the Community Council.

3. Quorum

A quorum shall be one-third of the current voting membership of the Community Council, 3 voting members, whichever is the greater.

4. Order of Business

(a) Ordinary Meeting

Order of business at Ordinary meetings of the Community Council should include: -

- (i) Recording of membership present and apologies received.
- (ii) The minutes of the last meeting are submitted for approval.
- (iii) Any Matters arising are addressed.
- (iv) Correspondence
- (v) Monthly Reports
- (vi) Consideration of other agreed items of business as directed by the Chair
- (vii) Any other competent business.
- (viii) Questions from the floor.
- (ix) Chair to declare date of next meeting and close meeting.

(b) Annual General Meeting

It will not be uncommon that the Community Council has arranged for an Ordinary meeting of the Community Council to begin at the close of the Annual General Meeting (AGM), to enable any outstanding reporting on business

matters to be heard; and for Community Council members and members of the public to have an opportunity to bring matters to the attention of the Community Council, possibly for inclusion on a future agenda.

The AGM minutes should be presented to the next ordinary meeting of the Community Council following the AGM for the purposes of establishing accuracy and noting their availability to the public, although they remain in draft form until approved at the following year's AGM.

The order of business at Annual General Meetings (AGM) of the Community Council shall be as follows:

- (i) Record membership attendance and apologies received.
- (ii) Approve the presented minutes of the last Annual General Meeting (AGM).
- (iii) Chair's annual report (and questions from the floor).
- (iv) Secretary's annual report (and questions from the floor).
- (v) Treasurer's submission of balance sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- (vi) Current office bearers step down.
- (vi) Election of office bearers.
- (vii) Confirm that the Constitution is signed and dated by the Chair and 2 other members of the Community Council (if there is a change to the Chair a new constitution needs to be signed and submitted to South Ayrshire Council).
- (viii) Note the appointment of Associate Members.
- (ix) Review the Inventory and Additional Resources (See Constitution Clause 18).
- (x) Chair to declare that a date in April/May of following year will host the next AGM and close meeting.

(c) Special Meeting

The order of business at Special Meetings of the Community Council shall be as follows:

- (i) Recording of membership present and apologies received.
- (ii) Business for debate, as described in the calling notice for the special meeting.
- (iii) Chair to close meeting.

4. Order of Debate

- (a) The Chair shall decide the order of all questions, relevancy and competency arising at meetings of the Community Council and their ruling shall be final and shall not be open to discussion.
- (b) The Chair shall also determine the order, relevancy, and competency of all questions from the public in attendance at meetings of the Community Council.

- (c) The Chair in determining the order, relevance and competency of business and questions shall have regard to the importance 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.
- (d) The Chair shall have the power, in the event of disorder arising at any meeting, to adjourn the Community Council meeting to the next scheduled meeting or another fixed time and/or date.
- (e) In instances of the Chair's absence, the meeting should proceed through the Vice-Chair or other interim Chair as agreed by the members present.
- (f) Every motion or amendment must be proposed by one member and seconded by another.
- (g) After the Chair asks the person who proposed the motion to give their final reply, no one else should speak about the motion or any changes to it.
- (h) A motion or amendment can't be withdrawn unless both the person who proposed it and the person who seconded it agree.
- (i) A motion or amendment that reverses a previous Community Council decision cannot be considered again within six months unless new information or an error becomes available.

5. Voting

- (a) 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.
- (b) The Chair may vote as an ordinary member and, in the event of a tie, will have a second casting vote.
- (c) In instances of the Chair's absence, their casting vote is transferred to the Vice-Chair or other interim Chair, as previously agreed by the members present.

6. Alteration to Standing Orders

- (a) A proposal to alter or add to these Standing Orders may be proposed to South Ayrshire Council at any time by the Community Council if notice of a motion to that effect is given at the meeting of the Community Council previous to that at which the motion is discussed.
- (b) South Ayrshire Council shall have final discretion on any proposed change to these Standing Orders.

7. Sub-Groups

The Community Council may appoint sub-groups as it may from time to time decide and shall determine their composition, terms of reference, duration, duties, and powers.

8. Suspension of Standing Orders

These Standing Orders shall not be suspended except at a meeting at which two-thirds of the stated constituted membership number of Community Council members are present and then only if the proposer states the object of their motion and if two-thirds of the Community Council members present consent to such suspension.

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APPENDIX 5

South Ayrshire Council

Supported Status

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This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

Introduction

When a Community Council moves into supported status, it will be provided with:

1. Reasons for its move to supported status.
2. Confirmation of the period of supported status.
3. Information about what they need to achieve by the Steering Group to reinstate Community Council status.
4. Details on how they can appeal the decision.

What is a Steering Group?

1. It is the remaining members of the Community Council (if it remains above the quorum of one third of the remaining membership of the Community Council or four members, whichever is the greater). The Steering Group will be supported by a South Ayrshire Council Officer as appropriate.
2. If a steering group drops below the quorum for the Community Council, it will immediately be moved to dissolution and appropriate action will be taken by Service Lead, South Ayrshire Council.

What must the Steering Group do?

1. Meet as a Group to rectify the issues that resulted in them being in supported status.

What can the Steering Group do?

1. Continue with any live projects that were already in progress when the Community Council went into supported status with the support of the Senior Communities Officer (it should be noted that the insurance cover in place for Community Councils will remain operational whilst the Community Council is in supported status).
2. Complete financial transactions agreed by the Community Council when it was operational.
3. Take decisions on expenditure for the live projects ONLY.

What must the Steering Group not do?

1. Undertake any work relating to the statutory functions of a Community Council planning, licensing, and other consultations.
2. Agree any expenditure out with the live projects.
3. Spend any funds unless they had approval prior to supported status.

4. Send any correspondence in the name of the Community Council.
5. Undertake any social media activity or update the website other than to inform the community of the status of the Steering Group, publish SG minutes or to promote the need for additional members.
6. Apply for any funding for the Community Council.

Holding of Meetings

1. Meetings should be held at least every six weeks.
2. Meetings are for members of the Steering Group only and any supporting officers, but they would not be involved in any decisions.
3. Notes of actions and decisions will be taken and circulated to members and made available for the community to have sight of.
4. Agendas will be prepared and circulated by the Senior Communities Officer.
5. Meetings will be held in Council premises or online wherever possible to remove the need for expenses to be incurred.

Next Stage

1. If, within the six-month period, the Steering Group satisfies the Service Lead that the Community Council will, in the future be able to comply with the requirement of the Scheme and have met the expectations set out when they went into supported status, then reinstatement of Community Council status will be granted by written notice from the Service lead.
2. If the Steering Group has not managed to achieve the required outcomes within the six-month period, the Service Lead will review the progress made by the Steering Group.
3. If the Service Lead considers that significant progress has been made, they may consider an extension of 3 months to the supported status period to allow the Steering Group to complete its work.
4. If the Service Lead considers that little or no progress has been made, they may consider that it is appropriate to move to dissolution of the Community Council.

APPENDIX 6

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South Ayrshire Council

Community Councils Complaints Procedure

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

COMPLAINTS PROCEDURE FOR COMMUNITY COUNCILS

NOTE: The importance of transparency of process whilst retaining the appropriate level of confidentiality must be noted and practiced by all Community Council members upon receipt of any complaint. A complaint against the collective membership of a Community Council may be considered appropriate to share with all members simultaneously, whereas a complaint against an individual member may be shared with that member only in the first instance, to provide them with time to reflect on the content of the complaint and to prepare an appropriate response, before the complaint is shared with the collective membership for discussion.

In any event, Community Councils may consider whether it would be appropriate to invoke Constitution Clause 14k when in receipt of a complaint and undertaking an appropriate procedure.

Complaints Procedure

This procedure is for making complaints against Community Councils or its members and can be used by Community Councillors, members of the public, organisations, or elected members.

1. What is a Community Council Complaint?

1. A complaint against a Community Council is an expression of dissatisfaction or concern relating to the actions of a Community Council or its members. This may be about the conduct; standard of service; actions or lack of action by a Community Council and/or its members. Complaints **MUST** relate to alleged breach of the Scheme of Establishment for Community Council or the Code of Conduct for Community Councillors.
2. A complaint is not:
 1. A dispute of a personal nature which does not involve the role as a Community Councillor.
 2. An issue that is in court or has already been heard by a court or a tribunal.
 3. A disagreement with a decision, where a statutory right of appeal exists.
 4. An attempt to reopen a previously concluded complaint or to have a complaint reconsidered, where a final decision has been reached.
 5. A disagreement with decisions of South Ayrshire Council or complaints regarding South Ayrshire Council services or officers.
 6. Involving a request for compensation on a decision the Community Council has made.

1. This list is not exhaustive. These issues cannot be dealt with and will not be progressed as complaints. Individuals will be redirected accordingly.

2. Who can complain?

2.1 Anyone who is affected by a Community Council can make a complaint. Sometimes an individual may be unable or reluctant to make a complaint on their own. Complaints brought by third parties will be accepted where personal consent has been given.

2.2 Individuals under 16 may complain themselves or can ask a trusted adult such as a parent, older brother or sister, or a guardian to complain on their behalf.

2.3 If an individual considers themselves to be a vulnerable adult they can complain directly, or they can ask a trusted person to complain on their behalf.

2.4 Anonymous complaints will not be accepted under this procedure. However, if the matter involves a sensitive issue, the Senior Communities Officer may permit the complainant's identity to be withheld in exceptional circumstances. In such cases, every effort will be made to maintain the confidentiality of both the complainant and the subject.

3. What can I complain about?

3.1 You can complain about things such as:

1. Neglect by or contrary attitude of a Community Councillor when dealing with a Community Council issue which affects the local community,
2. Breaches to the Code of Conduct for Community Councillors by Community Council members.
3. Breaches to the Scheme for Establishment of Community Councils by Community Councils and/or their members,
4. Financial irregularities and fraud of public funds held by the Community Council,
5. Breaches of confidentiality, including data breaches,
6. Misusing social media, email, or letters for the purpose of personal, political and/or financial gain,
7. Bringing the Community Council into disrepute e.g. misrepresenting the views and interests of the local community.

3.2 This list is not exhaustive, and complaints may involve more than one thing.

4 Time limit for making complaints.

Complaints should be made within three (3) months of the incident occurring. Complaints involving issues that occurred later than this will not be dealt with, unless there are special circumstances for granting an extension. Any such circumstances will be considered on a case by case basis.

5 How do I complain?

5.1 All complaints relating to Community Councils and/or individual Community Councillors must be submitted in writing to the Senior Communities Officer at communitycouncils@south-ayrshire.gov.uk. Representations submitted elsewhere, including directly to Community Councils or other South Ayrshire Council officers, will not be formally considered as complaints.

5.2 All complaints should be made formally in writing, making clear:

- (a) the complainant details, the nature of the complaint,
- (b) the grounds which support it; and,
- (c) including evidence which substantiates the grounds.
- (d) what outcomes they are seeking.

6. On receipt of a complaint

6.1 On receipt of a complaint the Senior Communities Officer will determine whether it is a valid complaint under this procedure (refer to paragraph 1 and 3) and if so, shall record the complaint and determine the next process.

6.2 The Senior Communities Officer shall by letter or email acknowledge receipt of the complaint as soon as possible and shall inform the Community Council or the

Community Councillor of the complaint by providing them with a copy of the complaint.

- 6.3 The Senior Communities Officer must contact the complainant and the person being complained about to discuss the nature of the complaint to see if it is possible to resolve the complaint without progressing further.
- 6.4 Where more than one complaint is about the same incident or issue, they will be considered together. This may affect the timelines for dealing with the complaints and the complainant(s) will be notified if this is the case.

7. The Complaint Handling Process

- 7.1 The Procedure provides for a 2 stage complaints procedure for the resolution of complaints:
1. Stage 1 Community Council Resolution
 2. Stage 2 Panel Hearing
- 7.2 The Senior Communities Officer will determine which procedure is appropriate on receipt of a complaint.
- 7.3 Stage 1 aims to provide a quicker, simple and straightforward way to resolve complaints directly with the relevant Community Council. Stage 2 allows for a more thorough investigation and an independent review by the Community Council Complaints Panel for cases that are more complex or serious.
- 7.4 Some complaints, while simple and straightforward will not be suitable to be handled by the Community Council themselves as determined by the Senior Communities Officer. In such cases, the Senior Communities Officer will progress this to a stage 2 procedure.

Stage 1 Community Council Resolution

1. Where the Senior Community Officer determines that the complaint is valid but involves minor issues, such as meeting administration errors, delays in responding to correspondence or minor breaches of standing orders or the code of conduct for Community Councillors, the Senior Communities Officer will direct such complaints to the office bearer of the Community Council concerned.
2. Where the complaint is about an individual Community Councillor, they should be given the opportunity to present their accounts of events or address specific points raised in the complaints.

3. The office bearers may decide that the appropriate course of action would be for the complaint to be tabled and resolved during a meeting of the Community Council.

The Community Council can invoke Scheme Clause 7.1 and Constitution Clause 14(k) which enables a Community Council to hold a meeting, or parts of a meeting, in private where it considers it appropriate to do so.

4. Any member (including office bearers) directly involved in the complaint must withdraw themselves from discussion and decision-making to avoid conflict of interest or the appearance of bias. This includes leaving the room during discussions and not influencing others.
5. If office bearers choose to resolve the complaint without a meeting of the Community Council, they must report on the decision and action taken at the next possible meeting.
6. The Community Council shall seek to resolve the complaint and within 30 working days, notify the complainant of the outcome of their complaint in writing.
7. An accurate record of the decision reached and how the complaint was handled including a copy of the correspondence of the outcome which was sent to the complainant must be provided to the Senior Communities Officer.
8. Where it has not been possible to resolve the complaint or the complainant is not satisfied with the outcome, they can request that the Senior Communities Officer progress their complaint to a Stage 2 procedure.

Stage 2 Panel Hearing

1. Complaints handled under the Panel Hearing stage are typically complex and serious, involving issues such as fraud, harassment, breaches of law, systemic corruption or collective misconduct and would require detailed examination before an outcome can be reached. A thorough investigation must be carried out.
2. The Senior Communities Officer will identify where the complaint is valid and relates to a Stage 2 procedure and advise the parties. They shall notify the Community Council or Community Councillor concerned and the complainant that they have up to seven (7) days to provide a written statement to support their position and that the written statements would form part of the information provided to the Complaints Panel,
3. The complaint will be referred to a Panel of three (3) Community Councillors from within the pool of trained members. All written statements and information relating to the complaints from both parties will be supplied to the Panel for determination of the complaint.

4. The Panel shall appoint a Chair and a note taker. The Panel must determine if they are able to resolve the complaint based on the information before them. If there is enough information, then the panel will make its decision and notify both parties.
5. If the Panel are unable to decide and require additional information, then they must seek supporting information from both parties and any witnesses and if necessary, undertake interviews to aid the investigation of the complaint.
6. Unless there are circumstances which may not make this possible, the Panel shall communicate their decision in writing within 40 working days of receipt of the written statement in support of the parties' position to the complainant, the Community Councillor subject to the complaint and or the office bearers of the Community Council. Where it is not possible to meet this time limit, all parties must be notified of the circumstances.
7. A record of the decision reached and how the complaint was handled including a copy of the correspondence of the outcome which was sent to the complainant shall be sent to the Senior Communities Officer.
8. The decision by the panel will be the final decision in respect of the complaint. Any communication with the panel must be done via the Senior Communities Officer. No individuals email addresses will be given.

8. Extension to timelines

8.1 In exceptional circumstances, where there are clear and justifiable reasons for doing so, the Senior Communities Officer may determine that an extension to the timeline is required. Examples of when this may be appropriate include:

1. individuals concerned being temporarily unavailable.
2. essential accounts or statements, required to establish the circumstances of the case, are needed from individuals, but they cannot help because of long-term sickness or leave.
3. where it is not possible to obtain further essential information within normal timescales.
4. when operations are disrupted by unforeseen or unavoidable circumstances, for example severe weather conditions; and

5. where multiple complaints submitted in relation to the same issue.

8.2 This list is not exhaustive. An extension to the timescale must be considered as soon as it becomes apparent that this is required. All parties will be informed if permission for an extension is given. The complainant shall be made aware of delays or complexities that may impact progress.

9. Possible Outcomes

9.1 **No Breach:** If the Community Council or Complaint Panel considers that there has been no breach, then it should provide reasons why this is the case.

9.2 **Breach:** Where a Breach has been determined, the possible sanctions that can be imposed include Censure with a requirement of Apology, Training (exact nature to be identified); Mentoring; Restriction of communication between parties (to be clearly specified); Written undertaking to behave within the Code of Conduct. **A decision to impose any of these sanctions must be with a simple majority.**

9.3 **Serious Breach:** Where it has been determined that a Serious Breach has occurred, the possible sanctions that can be imposed include Suspension for a set period up to six (6) months; Instruction to stand down from an Office Bearer position; Expulsion; Recommendation of Supported Status. **A decision to impose any of these sanctions must be a unanimous decision.**

FLOWCHART to be added once final approval is received

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APPENDIX 7



South Ayrshire Council

Annual Self-Assessment (RAG Analysis) for Community Councils

CONSIDERED GOVERNANCE STATUS

1. **RED** – 1 or more CORE ADMINISTRATION items remain outstanding.
2. **AMBER** – All (6) CORE ADMINISTRATION items met; and Any 1 GOOD PRACTICE item being met.
3. **GREEN** – All (6) CORE ADMINISTRATION items met; and evidence of 6 GOOD PRACTICE items being met; which must include the Annual Self-Assessment (RAG Analysis).
4. **RAG Analysis should be completed each year. AMBER status is satisfactory; GREEN status Community Councils will be held up as MODELS of GOOD PRACTICE.**

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

Name of Community Council

SAC can complete

Year of Self Assessment

SAC can complete

Date of meeting which discussed self assessment

CC to complete

Considered RAG Status

Green

Amber

Red

Completed by

(name - block Capital)

CC to complete

(signature)

(position)

(date self assessment completed)

| CORE ADMINISTRATION | MONITORING QUESTION | YES | NO | COMMENTS / EVIDENCE / CONCERNS |
|---------------------------|---|-----|----|--------------------------------|
| 1. Constitution | Is there a signed Constitution held on file and by South Ayrshire Council? | | | SAC can complete |
| 2. Minutes | Are all Community Council minutes from the last 2 years held on file by South Ayrshire Council? | | | SAC can complete |
| 3. Annual General Meeting | Has an AGM been held in April/May of the most recent year? | | | SAC can complete |
| 4. Finances | Have the most recently approved accounts been submitted to South Ayrshire Council? | | | SAC can complete |
| 5. Treasurer Reports | Are regular financial reports presented at scheduled meetings? | | | SAC can complete |

| | | | | | |
|----|-----------------------------|---|--|--|------------------|
| 6. | Chairperson's Report | Is a Chairperson's Report available from the most recent AGM? | | | SAC can complete |
|----|-----------------------------|---|--|--|------------------|

| GOOD PRACTICE | MONITORING QUESTION | YES | NO | COMMENTS / EVIDENCE / CONCERNS |
|---------------|---------------------------------|-----|----|---|
| 7. | Elected Members' Reports | | | SAC to answer (as per minutes) |
| 8. | Police Reports | | | SAC to answer (as per minutes) |
| 9. | Planning | | | SAC to answer (as per minutes) |
| 10. | Licensing | | | SAC will populate for those that have one. |
| 11. | Email | | | SAC will populate for those that have one. |
| 12. | Website | | | SAC will populate for those that have one |
| 13. | Social Media | | | CC to answer |
| 14. | Online Training | | | SAC to answer |
| 15. | Wider Participation | | | CC to answer |
| 16. | Consultations | | | CC to answer |
| 17. | Local Vision | | | SAC will populate once we have the details from each CC |

FOR OFFICIAL USE: Thriving Communities confirmation of RAG status:

Green **Amber** **Red**

Relevant Officer: _____

Date: _____

MODEL SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS IN SCOTLAND 2023

1. Background

The Model Scheme for the Establishment of Community Councils 2023 replaces the Model Scheme that was first published in 2009.

The Model Scheme for Community Councils in Scotland is designed to enable the establishment of community councils across Scotland to provide a common minimum basic framework governing their creation and operation. However, each local authority is responsible for consulting on and agreeing its own Scheme.

2. Introduction

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (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.

The role of Community Councils in Scotland was further strengthened by the Community Empowerment (Scotland) Act 2015 which identified them as community participation bodies.

Community councils have a statutory right to be consulted on applications for planning permission and have a key role as per the Planning (Scotland) Act 2019 in engaging with the statutory planning system.

3. Statutory Purposes

The statutory purposes of community councils established under the Model 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”

4. The Role and Responsibilities of Community Councils

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 their local authority, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the community council will have in place, in consultation with and supported by the local authority where possible, recognised consultative mechanisms including digital to validate their views and devise strategies to secure greater involvement by all sectors of the community.

Community councils have a statutory right to be consulted on planning applications.

Licensing matters and any other matters may also be jointly agreed between community councils, the local authority and other public sector and private agencies.

The Community Empowerment (Scotland) Act 2015 also provides new statutory rights for community councils along with other community organisations. This includes Part 3 Participation Requests, Part 8 Common Good and Part 9 Allotments.

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 local authority and other agencies.

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 and the Community Councillors' Code of Conduct.

Each community council is required to adopt a Constitution, based upon the Model Constitution, which has been produced for national use, together with Model Standing Orders, to encourage and maintain consistency for all community councils and to facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. The community council's Constitution is required to be approved by the local authority.

Community councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad

Appendix 3

spectrum of opinion and interests of all sections of the community. Good Practice Guidance has been produced to help Community Councils to deliver on these responsibilities.

In order to fulfil their responsibilities as effective and representative, community councils shall: -

- ☒ 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, notice boards and online, subject to the provisions contained within the Data Protection Act 1998 and the General Data Protection Regulations (2018), provide contact details of community council members.
- ☒ Agendas and draft minutes of community councils' meetings must be presented to the local authority within 30 days from the date of that meeting and be circulated to community council members, relevant elected members and other interested parties.
- ☒ Seek to broaden both representation and expertise by promoting the Associate Membership of the community council of persons for specific projects/issues.
- ☒ 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.
- ☒ Maintain proper financial records and present financial reports at community council meetings.
- ☒ Inform the local authority of any change in membership (resignations, Associate Membership, etc.) and circumstances, as soon as is practicable. Respond to enquiries and feedback from the community.

5. Community Council Areas within Local Authority Areas

The local authority has produced a list of named community council areas and a map or maps that define their boundaries.

6. Membership of Community Councils

There shall be minimum and maximum membership numbers of elected community councillors in a community council. Due to the diverse nature of local authority areas, where there may be areas of sparse population relative to geographical disposition, such as island communities, each local authority may set its own formula within their scheme for the definition of a minimum and maximum number of community council members in any community council area.

The minimum age to stand for election as a community councillor is 16 years. 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

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register for the community council area in which they reside. There shall be provision made for non-voting Associate Membership for purposes as defined by each community council. For example, for persons under 16 years of age. Such persons will not be counted in terms of meeting a quorum, or towards the total number of community council members.

Elected members of the local authority and members of the Scottish and United Kingdom Parliaments are entitled to become *ex-officio* members of community councils, with no voting rights. A broad outline of the remit and responsibilities of each of these institutions is featured in the Guidance Notes accompanying the Model Scheme.

7. Establishment of Community Councils under the Model Scheme

Local authorities may choose to review their own scheme of establishment. Upon the local authority's revocation of its existing Scheme for the Establishment of Community Councils and decision to make a new Scheme, it shall publish a Public Notice, which shall invite the public to make suggestions as to the areas and composition of the community councils. Thereafter, a consultation process shall be undertaken prior to its formal adoption by the local authority.

8. Community Council Elections Eligibility

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

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.

Any community council member who no longer resides within that community council area is deemed to have resigned from that community council. Local authorities can enable community council members who have left the community council area to remain in place until the next election (full or interim) should they wish to.

Any individual who is elected to serve on this local authority, or the Scottish or UK parliament shall be ineligible to remain a community councillor, or to stand for election to a community council. Such persons, upon taking office, become *ex-officio* members of the community councils contained in whole or in part of their electoral constituency.

9. Nominations and Elections

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

Subsequent elections will be held on a four-yearly-cycle on dates to be determined by the Community Council in agreement with the Local Authority. Where the number of established community councils exceeds a level to be determined by the local authority, elections for a proportion of

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the total number of established community councils within the 4-yearly cycle may be arranged. Should community councils' election cycle fall in the year of Scottish local government or parliamentary elections, the electoral proceedings will be held in the following year.

The local authority will administer all elections.

10. Returning Officer

The local authority will appoint an Independent Returning/Depute Officer. The Independent Returning/Depute Officer must not be a current elected member of that community council nor intending to stand for election to that community council.

11. Nominations

Individuals seeking election to a community council require to be nominated by a proposer and seconder, both of whom must be on the Electoral Register for that community council area. Nominations require to be submitted with the candidate's consent.

A nomination form should be completed, the style of which will be described within the Guidance Notes. Nominations require to be submitted by post, email or online by the date set down in the election timetable. No nomination forms submitted after that date will be accepted.

12. 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, 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 local authority 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.

13. Method of Election

Elections will be based on whole local authority areas or devolved administrative areas, as deemed appropriate. Ideally, elections will take place across whole local authority areas at one time. However, large local

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authorities may need to take an incremental approach to elections across their area, over a specified period of time or cycle. Community councils shall be elected on a simple majority basis.

14. Filling of casual places/vacancies between elections

Casual vacancies on a community council may arise in the following circumstances:

- When an elected community council member submits their resignation;
- When an elected community council member ceases to be resident within that community council area;
- When an elected community council member has their membership disqualified (Clause 18).
- On the death of an elected community council member.

Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with the local authority. Filling a vacancy can be undertaken either through the process of an interim election or by co-option. However, should circumstances arise that lead to the number of elected community councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held, as described within the Guidance Notes.

15. 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.

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16. Additional Membership

Associate Members

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

Ex-Officio Members

Local Authority Councillors, MPs and MSPs 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.

Youth Membership

Each Community Council is able to appoint two youth members between the ages of 16-18. Youth members must live within the Community Council area. 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.

17. Equalities

The Equality Act 2010 makes it unlawful to discriminate against persons or groups on the grounds of the protected characteristics of race, sex, gender recognition, disability, age, sexual orientation, marriage and civil partnership, pregnancy and maternity, and religion or belief.

Recognition should be given to the contribution of everyone participating in the work of the community council. Community councils must comply with Equal Opportunities legislation and should recognise and value diversity in their membership and in their communities, ensuring that equality of opportunity be given to every resident to have their knowledge, opinion, skill and experience taken into account.

Consideration must also be given by the Community Council as to their meeting place, whether online or in-person. This must be in terms of accessibility and facilities for disabled users, as well as location, as far as practicable, to ensure that the needs of all members, visiting public or other additional members are met.

18. Disqualification of Membership

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Membership of a community council is invalidated should a community councillor's residency qualification within that community council area cease to exist. If any member of a community council fails to attend any community council meeting, with or without submitting apologies, throughout a period of 6 months, the community council may terminate their membership. At the discretion of individual community councils, a period of leave of absence for community council members may be granted at any meeting of the community council.

19. Meetings

The first meeting of a community council following a community council election, will be called by an independent Returning Officer approved by the local authority and will take place within 21 days of the date of the election, or as soon as practicable thereafter. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing community council.

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 in a month of each year to be determined by the local authority.

The quorum for community council meetings shall be one third of the current voting membership of a community council, or 3 voting members, whichever is the greater.

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 Model Standing Orders.

20. Virtual Meetings

Community Councils may decide to take an in-person, online or hybrid approach to their meetings, and the platform to be used for any meeting is for the Community Council to decide.

Virtual meetings may include members of the public where this can be accommodated, but this is not mandatory and for each Community Council to determine.

Whether or not they are able to attend, proper provision must be made to afford members of the public the opportunity to address the Community Council as set out in the following paragraph.

An Agenda for the meeting shall be published in the usual way and all Members of the Community Council and members of the public invited, in advance, to submit comments on any Agenda item to the Community Council's generic email address or by other appropriate means; such views to be considered by the Members dealing with the items of business. Comments may also be submitted during the meeting itself,

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but the ability to receive comments in advance will assist the Community Council in managing a remote meeting.

Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and made publicly available. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

21. Liaison with the Local Authority

In order to facilitate the effective functioning of community councils, the local authority has identified an official to act as a Liaison Officer with community councils. Unless there is a specific agreement or an issue is a specific departmental issue, all correspondence between the local authority and the community councils should, in the first instance, be directed through that official.

Community councils may make representations to the local authority and other public and private agencies, on matters for which it is responsible and which it considers to be of local interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate local authority official. On issues where a local authority department is consulting with community councils, representations should be made to the appropriate departmental officer.

Community councils shall provide copies of their agendas and minutes within prescribed timescales to the Council via the local authority's named official.

22. Resourcing a Community Council

The financial year of each community council shall be provided for in the constitution of each community council and shall be from **(to be determined by the local authority)** to **(to be determined by the local authority)** in each succeeding year to allow for the proper submission of audited statement of accounts to the community council's annual general meeting on a specified date.

The Annual Accounts of each community council shall be independently examined by an examiner appointed by the community council, who is not a member of that community council. A copy of the independently examined statement of accounts/balance sheet shall be forwarded immediately thereafter the statement is approved at the community council's annual general meeting, to a named official of the local authority.

The named official may, at their discretion and in consultation with the Council's Chief Financial Officer, require the community council to produce such records, vouchers and account books, as may be required.

Each community council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.

Each community council shall be eligible to apply for grants for suitable projects through the local authority's grant system.

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The local authority may provide an initial administrative grant to community councils to assist with the operating costs of the community council. The grant shall be fixed at a minimum flat rate of £ **(to be determined by the local authority)** with an additional minimal -p. **(to be determined by the local authority)** per head of population.

The local authority shall determine any additional support services/resourcing, such as: photocopying and distribution of community council minutes, agendas and free lets of halls for community council meetings, to suit local requirements. The local authority will review the level of annual administrative grant and other support to community councils following each local government electoral cycle.

The local authority's Liaison Officer 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 local authority and other relevant topics.

23. Liability of Community Council Members

Insurance is required for a Community Council to be operational. All Community Councils should arrange their own insurance.

24. Dissolution of a Community Council

The terms for dissolution of a community council are contained within the Model Constitution.

Notwithstanding these terms, should a community council fail to hold a meeting for a period of 3 consecutive prescribed meeting dates, or its membership falls below the prescribed minimum for a period of 3 consecutive prescribed meeting dates (during which time the community council and the local authority have taken action to address the situation), the local authority shall take action to dissolve that community council.

Integrated Impact Assessment Summary Report

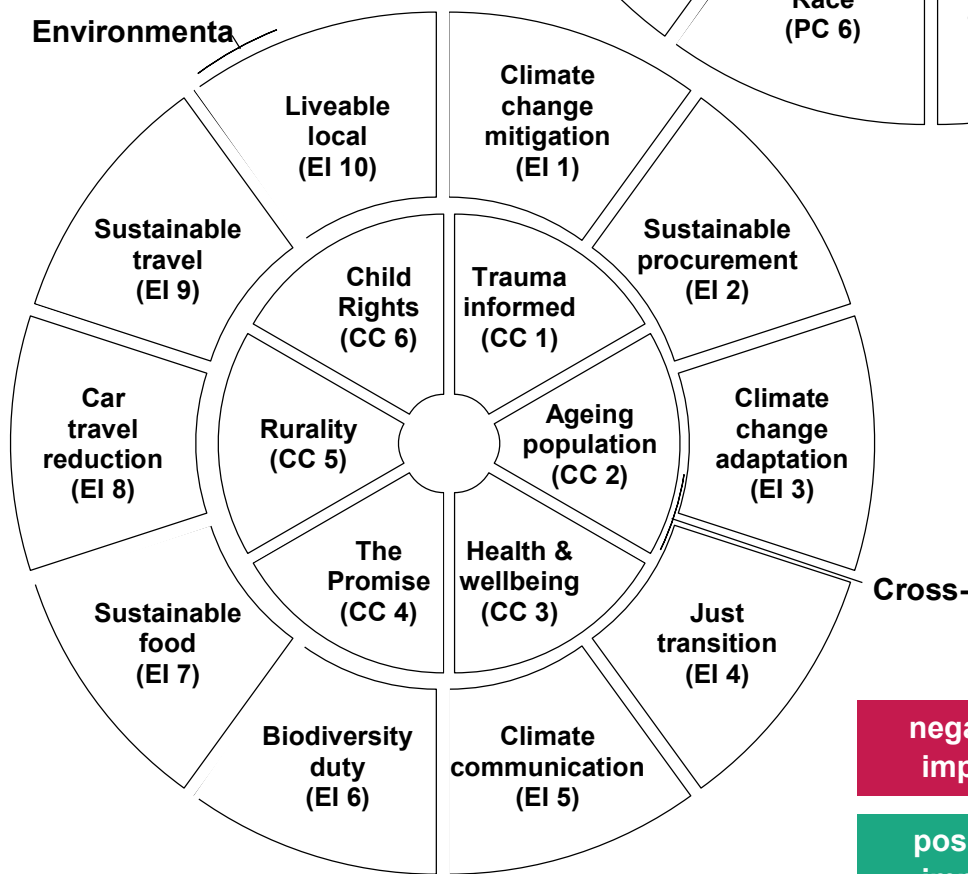
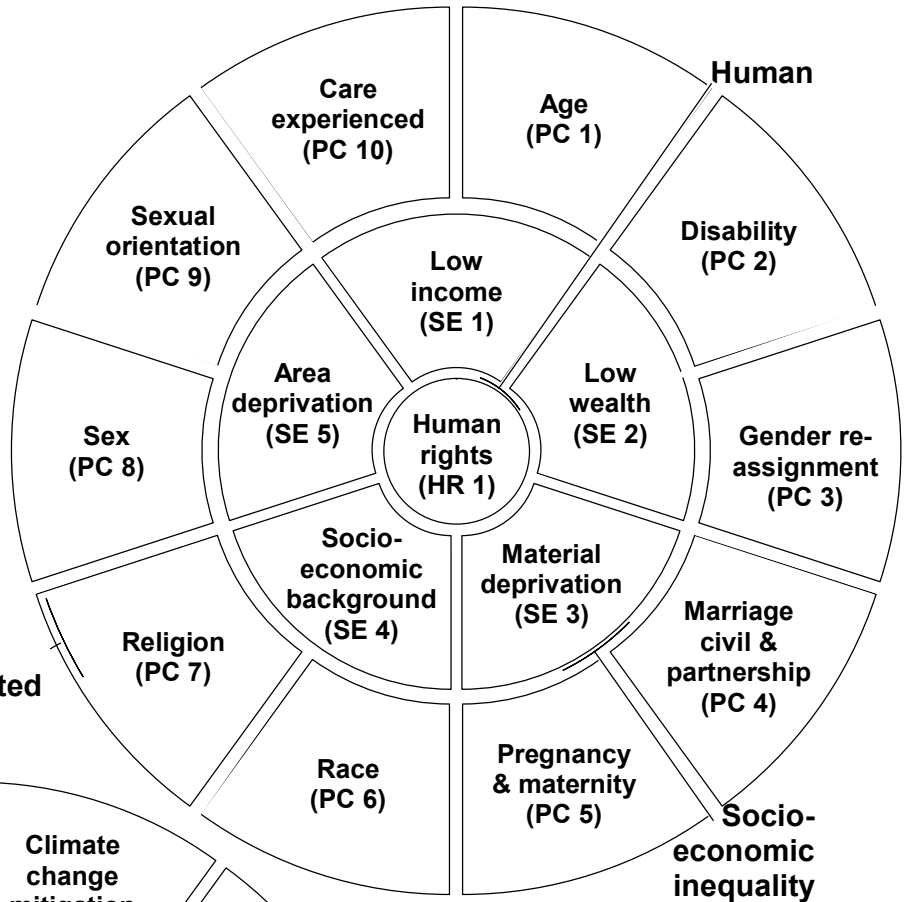


Proposed changes and updates to the Scheme For Establishment of Community Councils.

Completed by:

Jamie Tait ,
Service Lead Thriving Communities ,
Thriving Communities

Date started 23/01/2026



To be implemented on:

1st April 2026

Review date:

every Three Years

Oversight Panel:

Full Council

| | |
|-----------------|----------------------------|
| negative impact | uncertain / not clear |
| positive impact | no impact / not applicable |

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

Proposed changes to the scheme will not impact unlawful discrimination, harassment or victimisation.

Advancing equality of opportunity?

Proposed changes will impact equalities however the role of Community Councils is to listen to the views of their communities and represent their community.

Fostering good relations?

Proposed changes should make the Scheme easier to understand and work with and should improve relationships across communities. Officers do recognise that not everyone will be content or supportive of changes however the scheme is designed to support Community Councillors.

Consultation declaration

We confirm consultation has been carried out as part of this process.
