



Renfrewshire  
Council

# Scheme for the Establishment of Community Councils 2019

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# RENFREWSHIRE COUNCIL

## SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

### 1. Introduction

- 1.1 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. Every local community in Scotland is entitled to petition their local authority to start a community council in their area.
- 1.2 Renfrewshire Council published its first Scheme for the Establishment of Community Councils (the Scheme) in 2001. Following statutory public consultation, that Scheme was revoked and a new Scheme was adopted in December 2010, the contents of which were revised and amended in 2015 and 2019. The Scheme describes how community councils in Renfrewshire are formed, the conditions under which they operate and the minimum standards to be met for recognition as a community council.
- 1.3 Guidance on the practical implementation of this Scheme is available on request from Renfrewshire Council:

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk) or call 0141 618 7104.

### 2. Statutory Purposes

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

***“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”***

- 2.2 Community councils are voluntary bodies that exist within a statutory framework. They can complement the role of the local authority but are not part of local government.

2.3 **Other Purposes:** The Community Empowerment (Scotland) Act 2015, further strengthens the purpose of community councils by including voluntary bodies within the community planning framework. As voluntary bodies, community councils:

1. can participate in all parts of the community planning process to produce Local Outcome Improvement Plans, in the development, design and delivery of these plans and in the review, revision and reporting of progress;
2. can make Participation Requests;
3. can make Asset Transfer requests;
4. can be involved in forestry leasing;
5. have a right to be consulted on the disposal or change of use of common good assets; and
6. can be involved in Participatory Budgeting.

2.4 To support community councils to undertake their role within the community planning process, governance arrangements for Renfrewshire Community Planning Partnership will include recognition of community councils as members of Local Partnerships and advice and support will be provided to assist community councils to make Participation and Asset Transfer requests. This support will include access to advice on appropriate sources of funding available from the Council and other organisations.

### **3. The Role and Responsibilities of Community Councils**

3.1 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.

3.2 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 the local authority, recognised consultative mechanisms, which may include social media, to validate their views and devise strategies to secure greater involvement by all sectors of the community.

3.3 Community councils have a statutory right to be consulted by the Council on planning applications, certain licensing matters and on the disposal or change of use of common good assets.

- 3.4 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 this Scheme for the Establishment of Community Councils.
- 3.5 There should be mutual engagement in the establishment of working relationships with Renfrewshire Council and other public agencies.
- 3.6 In carrying out their activities community councils must adhere to the law and the terms of this Scheme, including the Constitution (Appendix A), Standing Orders (Appendix B) and the Code of Conduct for Member of Community Councils (Appendix C)
- 3.7 Each community council is therefore required to:
1. adopt a “Constitution” as set out in Appendix A;
  2. adhere to “Standing Orders” for the proper conduct of meetings, as set out in Appendix B; and
  3. ensure members abide by the “Code of Conduct for Members of Community Councils” as set out in Appendix C

These standard documents have been approved by Renfrewshire Council and cannot be amended without the authority of the Director of Finance & Resources.

- 3.8 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. To fulfil their responsibilities community councils:
1. should act without religious bias and remain neutral of party political activity:  
  
Community councils must not endorse any political party or the activities of any political party. Community councils (and community council members in their role as members) must not show bias for or against any political party. Community council social media accounts should not display content from political parties and should not be used to comment, follow, like, display, forward etc any party-political postings.  
  
Community councils should seek to develop good working relationships with all Elected Members of Renfrewshire Council;
  2. should inform the community of their work by making agendas and minutes of meetings available in public places such as libraries, community notice boards and online through social media accounts;

3. provide the name and address of community council members, when requested;
4. submit agendas together with minutes of the previous meeting to Renfrewshire Council at least 7 days prior to the date of each meeting;

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

5. distribute agenda and minutes to community council members, *ex officio* members and any other interested parties at least 7 days prior to each meeting as per the requirements of the Constitution and Standing Orders;
6. seek to broaden both representation and expertise by promoting Associated Membership of the community council of persons (not eligible for election to the community council) for specific projects/issues;
7. make particular efforts to encourage young people and other under-represented groups to attend/participate at community council meetings and to ensure equality of opportunity in the way the community council carries out its function;
8. maintain proper financial records, present regular financial reports to community council meetings and produce annual accounts each year. (A recognised format for financial recording keeping is available from Renfrewshire Council);

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

9. inform Renfrewshire Council, as soon as possible, of **any changes** to membership.

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

10. hold appropriate Public Liability insurance;
11. register as a Data Controller with the Information Commissioner's Office and ensure the security of any confidential, personal and/or sensitive information held by the community council; and

Contact: <https://ico.org.uk/>

12. monitor its social media accounts to ensure content is appropriate, engaging and promotes the work of the community council in a positive manner. The community council's social media platforms should not be used to conduct arguments, bully or harass any individual or organisation. The opinions expressed on the

community council's social media platforms should reflect the views of the community council and not of individual members.

#### **4. Community Council Areas within Renfrewshire**

- 4.1 Following consultation, local demand has determined that community councils be established in 25 neighbourhood areas. A list of named community council areas and their approximate population is attached as Appendix D and maps defining the boundaries to apply to each community council area are attached as Appendix E.

#### **5. Membership of Community Councils**

- 5.1 There shall be minimum and maximum numbers of members elected to a community council. Where the population in any community council area is less than 5,000 the minimum membership number will be 7 and the maximum 21. Where the population in any community council area is 5,000 or greater the minimum membership number will be 10 and the maximum 30. The number of members to be elected to each community council is detailed in Appendix D.
- 5.2 Members must be nominated and elected to the community council and must be 16 years of age or over.
- 5.3 Members must reside within the specific community council area i.e. the individual's permanent home must be within the community council area.
- 5.4 Members must also be named on the electoral register for the community council area in which they reside. Members who are 16 – 17 years of age and not yet listed on the Electoral Register must be proposed and seconded by residents of the community council area who are 18 years of age or over and listed on the electoral register.
- 5.5 There shall be provision made for non-voting Associate Membership for purposes as defined by each community council, for example, 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.
- 5.6 Elected members of Renfrewshire Council and members of the Scottish and United Kingdom Parliaments are entitled to become *ex officio* members of community councils, with no voting rights.

#### **6. Establishment of Community Councils**

- 6.1 The Council will give public notice of its intention to revoke the existing Scheme and make a new Scheme and will carry out statutory public consultation before adopting a new Scheme.

- 6.2 Renfrewshire Council, in compliance with current legislation, will request petitions from 20 residents in each community council area identified in the Scheme and will establish community councils in those areas that return a valid petition.
- 6.3 Renfrewshire Council will review the Scheme at regular intervals to update and amend the content as appropriate.

## **7. Community Council Elections**

### **7.1 Eligibility**

1. Candidates wishing to stand for election to a community council must meet the criteria for membership outlined in paragraph 5 of this Scheme. The same criteria shall apply to voters in a community council election.
2. Sixteen and 17year-olds residing in the community council area are also entitled to both stand for the community council and vote in any election. To be eligible to stand for election such candidates must comply with paragraph 5 of this Scheme. To be eligible to vote at an election, residents who are 16 – 17 years old and not yet listed on the Electoral Register must provide evidence of identity, for example a statement from parent, guardian or school.
3. Any community council member who no longer resides within that community council area is deemed to have resigned from that community council.
4. Any individual who is elected to serve on Renfrewshire Council, or the Scottish or UK parliament shall be ineligible for membership of a community council, 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.

### **7.2 Elections**

1. The first elections to be held under the Scheme shall be held on a date to be determined by the Director of Finance & Resources.
2. Subsequent elections will be held on a four-yearly-cycle, outwith local government election years, on dates to be determined by the Director of Finance & Resources. Where the number of established community councils exceeds a level to be determined by the Director of Finance & Resources, elections for a proportion of 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 may be postponed at the discretion of the Director of Finance & Resources.

3. Renfrewshire Council will administer all elections. The Local Government Election rules shall apply to any election subject to any changes as determined by the Director of Finance & Resources to facilitate the conduct of the election.

### 7.3 Returning Officer

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

### 7.4 Nominations

1. Individuals seeking election to a community council require to be nominated by a proposer and seconder, both of whom must be resident in the Community Council areas and appear on the Electoral Register for that area. Nominations required to be submitted with the candidate's consent. Self-nomination is not permitted.
2. A nomination form must be completed and submitted by each – candidate. Nomination forms require to be submitted by the date set down in the election timetable. No nomination forms submitted after that date will be accepted.

### 7.5 Process

On the expiry of the period for lodging nominations:

1. Should the number of candidates validly nominated equal or exceed **THE MINIMUM**, but be less than or equal to the total maximum permitted membership as specified for the community council area in Appendix D of the Scheme, the said candidates will be declared to be elected and no ballot shall be held.
2. Should the number of candidates validly nominated exceed the total maximum permitted membership as specified for the community council area, arrangements for a Poll shall be implemented. At the Poll, residents of the Community Council area shall be entitled to vote for candidates up to the number of vacancies on the community council. The candidate with the most votes shall be elected to the community council then the candidate with the second most votes shall be elected and so on until all vacancies are filled.
3. Should the number of candidates elected, be below **THE MINIMUM** 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.

## **7.6 Method of Election**

Where appropriate, elections will take place across the Renfrewshire Council area at one time, and with regard to the terms of paragraph 7.2.2 above. The Director of Finance & Resources may determine the circumstances to apply to a staged approach to council-wide elections.

## **7.7 Filling of casual vacancies between elections**

1. Casual vacancies on a community council may arise in the following circumstances:
  - (a) when an elected community council member submits her/his resignation;
  - (b) when an elected community council member ceases to be resident within that community council area; or
  - (c) when an elected community council member has his/her membership disqualified (Paragraph 9).
2. 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 Council. 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 **THE MINIMUM** permitted membership the Council shall be informed and shall undertake arrangements for an interim election to be held.

## **7.8 Co-option to Community Councils**

1. Co-opted members must be eligible for membership of the community council as detailed in paragraph 5 of this Scheme. Such co-opted members shall have full voting rights, and will serve until the next round of elections (general and interim). Notice of any proposed co-option of a member should be included on the agenda for the next available meeting of the community council.
2. The number of co-opted members may not exceed a THIRD of the current elected (general and interim) community council membership. Should the ratio of co-opted to elected community councillors become greater than one third, due to any circumstances, an interim election process shall be triggered.

## **7.9 Additional Membership**

### **1. 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.

### **2. *Ex-Officio* Members**

Renfrewshire 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.

For the avoidance of doubt, the attendance of any associate or *ex-officio* member at a meeting of the community council will not count towards the quorum for that meeting.

## **8. Equalities**

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 ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

## **9. Disqualification of Membership**

9.1 Members who cease to reside in the community council area will be deemed to have resigned.

9.2 If any member of a community council fails to attend 6 consecutive meetings (where the community council meets monthly) or 3 consecutive meetings (where the community council meeting every 2 months), with or without submitting apologies, the community council shall advise the Director of Finance & Resources and terminate their membership. However, at the discretion of individual community councils, and at the request of the individual member of the community council, a period of leave of absence of up to three consecutive meetings may be granted at any meeting of the community council.

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

## **10. Meetings**

- 10.1 The first meeting of a community council following the community council election, will be called by Renfrewshire Council 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.
- 10.2 The frequency of meetings will be determined by each community council, subject to a minimum of 7 meetings each year (one annual general meeting and 6 ordinary meetings). Standing Orders shall identify the months in which meetings are to take place. The annual general meeting shall be held in OCTOBER each year.
- 10.3. Each community council will be responsible for arranging a venue for meetings and payment of any fees.
- 10.4 Every meeting of the community council shall have a quorum of voting members present before the meeting can proceed. The quorum for community council meetings shall be one-third of the current number of members of the community council eligible to vote, or 3 members, whichever is the greatest.
- 10.5 An outline for the content of business that community councils should adhere to when holding ordinary, special and annual general meetings is contained within Standing Orders.

## **11. Communication with Renfrewshire Council**

- 11.1 In order to facilitate the effective functioning of community councils, the Council has identified that the Senior Committee Services Officer (Community Councils) will provide a liaison service to community councils.
- 11.2 For the avoidance of doubt, this means that community councils should send the Senior Committee Services Officer (Community Councils), by the timescales prescribed, all information/documents that are required by Renfrewshire Council/Director of Finance & Resources under the terms of this Scheme.
- 11.3 The Senior Committee Services Officer (Community Councils) will act as the main point of contact for advice and support to interpret and implement the Scheme, Constitution, Standing Orders and the Code of Conduct for Community Council Members.

Contact: [community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

11.4 **Responding to Consultations:** Community councils may make representations to the Council, its planning partners, and other public and private agencies, on matters for which that organisation is responsible and which the community council considers to be of local interest. The community council should respond by the timescale and method advised by the agency undertaking the consultation.

11.5 **Responding to Planning & Licensing Applications:** Community councils receive statutory notice of planning applications and some licensing applications and should respond by the timescale and method set out in the notification.

#### 11.6 **Making Enquiries about Renfrewshire Council Services**

Community councils should send **all** enquiries about services to:

[communitycouncilenquiries@renfrewshire.gov.uk](mailto:communitycouncilenquiries@renfrewshire.gov.uk)

Service enquiries will be:

- logged and tracked;
- receipt acknowledged within 5 working days;
- replied to within 10 working days where possible, or otherwise advised (within 10 working days) of an appropriate alternative date for reply should the matter be complex and require detailed investigation

### 12. **Resourcing a Community Council**

12.1 The financial year of each community council shall be provided for in the constitution of each community council and shall be from **1 September to 31 August** in each succeeding year to allow for the proper submission of independently examined Annual Accounts to the community council's annual general meeting in OCTOBER each year.

12.2 The Annual Accounts of each community council shall be independently examined by at least two persons appointed by the community council, who are not members (or related to members) of that community council. A copy of the independently examined Annual Accounts and balance sheet shall be forwarded immediately after the statement is approved at the community council's annual general meeting, to Renfrewshire Council. The Director of Finance & Resources may require the community council to produce such records, vouchers and account books, as may be required to satisfy the Council that the financial concerns of the community council are in order.

- 12.3 Each community council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.
- 12.4 Each community council shall be eligible to apply for Council grants for suitable projects under the appropriate grant system.
- 12.5 The Council will provide an annual administrative grant to community councils to assist with the operating costs of the community council. The level of the administrative grant will be set by the Council. The amount of grant to apply to each community council is detailed in Appendix E.
- 12.6 The Administration Grant is provided to meet the operational costs listed below. Expenditure under each heading must be recorded in annual accounts. The Director of Finance & Resources will have discretion to approve, on request, any expenditure from the Administration Grant not listed below. The approved list will be reviewed on an annual basis.
- advertising/general publicity and promotional activities
  - accommodation/lots
  - auditors' fees
  - bank charges
  - consultation with the community
  - data protection registration
  - insurance
  - IT software/hardware/website construction and maintenance
  - photocopying/printing
  - postage
  - production and circulation of minutes, agenda and annual reports
  - subscriptions
  - telephone costs/ISP costs
  - travel costs
- 12.7 The Council will review the level of administrative grant and other support to community councils on an annual basis.
- 12.8 The Senior Committee Services Officer (Community Councils) 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.
- 12.9 The Council will facilitate regular meetings of Renfrewshire Community Council Forum as a mechanism for community councils to act together.

### **13. Liability of Community Councils**

- 13.1 Community councils must have in place appropriate Public Liability Insurance.

## **14. Suspension of a Community Council**

- 14.1 In the interests of protecting the public, residents, elected members, the Council and its partner agencies from community councils that have demonstrated a major single failure or a series of failures to comply with (i) the Scheme; (ii) the Constitution and/or (iii) the Code of Conduct for Community Councillors, where said failure(s) have not been remedied after being brought to the community council's attention, the Head of Corporate Governance can take action to suspend a community council and issue notice to that effect.
- 14.2 Whilst suspended, no meetings of the community council can take place. The community council will revert to the status of a steering group whose main task will be to consider and take such action as is necessary to ensure a re-instated community council can comply with the provisions of the Scheme, Constitution and Code of Conduct for Community Councillors.
- 14.3 On satisfying the Head of Corporate Governance that the community council will in the future be able to comply with the provisions of the Scheme, the community council will be re-instated by written notice from the Director of Finance & Resources at which time meetings can recommence.
- 14.4 In the event that a steering group is unable to demonstrate that the community council can comply with the provisions of the Scheme, within a period of three months from the date of suspension, then the Director of Finance & Resources may recommend to Renfrewshire Council that the community council be dissolved.
- 14.5 However, should the steering group be able to demonstrate sufficient progress towards conforming with the Scheme, to the satisfaction of the Head of Corporate Governance, then the period of suspension can be extended by an additional 3 months and a notice issued by the Head of Corporate Governance to that effect.
- 14.6 A summary of community council and Renfrewshire Council expectations is attached as Appendix F.

## **15. Dissolution**

- 15.1 The terms for dissolution of a community council are contained with the Constitution.
- 15.2 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.

- 15.3 The Council may take action to dissolve a community council where it is satisfied and can demonstrate a major single failure or a series of failures by a community council to comply with (i) the Scheme; (ii) the community council Constitution; and (iii) the Code of Conduct for Community Councillors, where said failure(s) have not been remedied after being brought to the community council's attention.

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## CONTACT:

**All enquiries about the operation of community councils in Renfrewshire or the implementation of this Scheme should be directed to:**

Anne McNaughton  
Senior Committee Services Officer  
(Community Councils)  
Renfrewshire Council  
Cotton Street  
PAISLEY  
PA1 1TR

**0141 618 7104**

[community-council.cs@renfrewshire.gov.uk](mailto:community-council.cs@renfrewshire.gov.uk)

## ALTERNATIVE FORMAT/LANGUAGE

Please use the contact details on the previous page to request a copy of this publication in an alternative format or language.

Istnieje możliwość otrzymania egzemplarza tego dokumentu w tym języku. W celu uzyskania takowego, proszę skontaktować się z Graeme McLatchie w Wydziale Prezesa Rady Miasta (Chief Executive's Department) pod numerem 0141 618 7396

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Date of Publication: 1 October 2019



## **DRAFT CONSTITUTION FOR COMMUNITY COUNCILS**

### **1. Name**

The name of the Community Council shall be ..... (referred to as “the Community Council” in this document).

### **2. Area of the Community Council**

The area of the Community Council shall be as shown on the map attached to Renfrewshire Council’s Scheme for the Establishment of Community Councils.

### **3. Objectives**

The objectives of the Community Council shall be:

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

### **4. Role and Responsibilities**

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 paragraph 3 of the Scheme for the Establishment of Community Councils, approved by Renfrewshire Council, and the Code of Conduct for Members of Community Councils.

## **5. Membership**

The Community Council's membership is as governed by paragraph 5 of the Scheme for the Establishment of Community Councils and as determined from time to time by Renfrewshire Council.

## **6. Method of Election**

Election procedures shall be governed by the method of election laid down in paragraph 7 of the Scheme for the Establishment of Community Councils.

## **7. Casual Vacancies on the Community Council**

Where a vacancy arises which does not result in the number of members falling below the minimum number as specified in paragraph 5 of the Scheme for the Establishment of Community Councils, and at least 6 months has passed since the last election, the Community Council may, if it considers it to be desirable, agree to:-

- (a) fill the vacancy (and any other outstanding vacancies) by holding an Interim Election, administered by the Council, on the basis that such vacancies would be publicised, nominations invited and an election held where the number of candidates exceeded the number of places available.
- (b) fill the vacancy by co-opting a resident in terms of paragraphs 7.7 and 7.8 of the Scheme for the Establishment of Community Councils
- (c) leave the vacancy unfilled until local public interest is expressed or until the next set of regular elections.

## **8. Voting Rights of Members of the Community Council**

The right to vote at any meeting of the Community Council or any committee thereof, shall be held by all members whether elected or co-opted, but not by Associate Members appointed for specific issues on a temporary basis, or *ex-officio* members. Decisions of the Community Council will be decided by a simple majority of those present and eligible to vote, with the exception of circumstances which may arise under Clause 16 – Alterations to the Constitution and its Clause 17 – Dissolution.

In the event of an equality of votes the chairperson shall have a casting vote.

## **9. Election of Office-Bearers**

- (a) At the first meeting of the Community Council after elections in the year when elections are held and at the Annual General Meeting in OCTOBER in the year when elections are not held, the Community Council shall appoint a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide.

- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.
- (c) Without the express approval of Renfrewshire Council, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary or Treasurer.

## **10. Committees of the Community Council**

The Community Council may set up committees and appoint representatives of the Community Council to committees and shall determine their composition, terms of reference, duration, duties and powers.

## **11. Meetings of the Community Council**

- (a) The quorum for Community Council meetings shall be one-third of the current membership that is eligible to vote, or 3 whichever is the greatest.
- (b) Once in each year in the month of OCTOBER the Community Council shall convene an annual general meeting for the purpose of receiving and considering the Chairperson's annual report on the Community Council, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (c) the Community Council shall meet not less than 7 times throughout the year - not less than one AGM and 6 ordinary meetings.
- (d) Dates, times and venues of regular meetings of the Community Council shall be fixed at the first meeting of the Community Council following ordinary elections and thereafter at its annual general meeting. Special meetings, either called by the Chairperson, or on the request of not less than one-half of the total number of community council members, shall require at least 7 days public notice. Renfrewshire Council's Director of Finance & Resources has discretion to call a meeting of the Community Council for a specific purpose.
- (e) Copies of all minutes of meetings of the Community Council and of committees thereof shall be approved at the next ordinary meeting of the Community Council.
- (f) In accordance with Standing Orders, an agenda (listing business to be discussed) together with a minute of the previous meeting shall be produced and distributed to all members at least 7 days before the date of each meeting. A copy of the agenda and minute must also be submitted to Renfrewshire Council.

- (g) The Community Council and its members shall abide by its Standing Orders for the proper conduct of its meetings.
- (h) 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.
- (i) The Community Council will meet in public and all items of business shall be taken in public. However, in exceptional cases items of business can be taken in private where the community council considers it appropriate to do so. An example of an exceptional case would be where genuinely personal or confidential matters were being discussed such as where the facts of a complaint against a member of the Community Council require to be substantiated. The agenda will state whether the meeting or a part thereof is to be held in private.
- (j) Outwith regular meetings when urgent responses are required, office bearers can take decisions in the best interests of the Community Council and report on these decisions at the next ordinary meeting.
- (k) The Community Council will be non sectarian and non political.
- (l) The Community Council will comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

## **12. Public Participation in the Work of the Community Council**

- (a) All meetings of the Community Council and its committees (subject to 11(i), above) 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 Chairperson.
- (b) Notices/Agenda 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 such as websites and social media.

### **13. Information to the Local Authority**

Renfrewshire Council's Senior Committee Services Officer (Community Council Liaison) shall be sent:

- an annual calendar of the Community Council's ordinary meeting dates, times and venues, which should be agreed at the Community Council's annual general meeting;
- minutes of all meetings;
- the annual report,
- the annual financial statement; and,
- any other such suitable information, as may from time to time be agreed between the Community Council and Renfrewshire Council.

When special meetings of the Community Council are to be held, the above officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 7 days in advance of the meeting date.

### **14. Control of Finance**

- (a) All monies raised by or on behalf of the Community Council or provided by Renfrewshire Council and other sources shall be applied to further the objectives of the Community Council and for no other purpose. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the Community Council), or in the absence of such terms, for the furtherance of the objectives of the Community Council.
- (b) The annual Administration Grant will be used to meet the cost of the undernoted expenditures and for no other purpose without the approval of the Director of Finance & Resources:-
- advertising/general publicity and promotional activities
  - accommodation/lots
  - auditors' fees
  - bank charges
  - consultation with the community
  - registration as a Data Controller with the Information Commissioner's Office under the provisions of the Data Protection Act;
  - insurance
  - IT software/hardware/website construction and maintenance
  - photocopying/printing
  - postage
  - production and circulation of minutes, agenda and annual reports
  - subscriptions
  - telephone costs/Internet Service Provider costs
  - travel costs

- (c) The Administration Grant (or any portion thereof) shall not be used to provide grant funding to any other body.
- (d) The treasurer shall undertake to keep proper accounts of the finances of the Community Council, and specifically record all items of spend from the Administrative Grant.
- (e) Any two of three authorised signatories, who would normally be office-bearers of the Community Council, may sign cheques on behalf of the Community Council. Authorised signatories shall not be co-habitees.
- (f) A statement of accounts for the last financial year, independently examined by two persons appointed by the Community Council who are not members, relatives of members, or co-habiting with members of the Community Council, shall be submitted to an annual general meeting of the Community Council and shall be available for inspection by members of the public at a convenient location.
- (g) The financial year of the Community Council shall be from 1 September to 31 August the following year. Examined accounts as received and approved by the Community Council at the annual general meeting shall be submitted to Renfrewshire Council following approval at the Community Council's annual general meeting.

## **15. Title to Property**

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

## **16. Alterations to the Constitution**

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 the Establishment of Community Councils.

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.

**17. Dissolution**

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. 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.

Where for any reason, the number of Community Council members falls below the minimum specified in the Scheme for the Establishment of Community Councils, Renfrewshire Council may, by suspending the Constitution of the Community Council, cause the Community Council to be dissolved.

The Council may take action to suspend and then dissolve a community council where it is satisfied and can demonstrate a major single failure or a series of failures by a community council to comply with (i) the Scheme; (ii) the community council Constitution; and (iii) the Code of Conduct for Community Councils where said failure(s) have not been remedied after being brought to the community council's attention.

In the event that a Community Council is dissolved and twenty or more electors subsequently wish the re-establishment of a Community Council for the area, these electors shall submit a requisition to the 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 the Establishment of Community Councils.

**18. Approval and adoption of the Constitution**

This Constitution was adopted by .....

COMMUNITY COUNCIL, on ..... (Date)

Signed: .....(Chairperson)

Signed: ..... (Member)

Signed: ..... (Member)

and was approved on behalf of Renfrewshire Council on .....(Date)

.....

Signed

.....

Name

.....

Designation





## DRAFT STANDING ORDERS

### 1. Meetings (all held in public)

- (a) Ordinary meetings of the Community Council shall be held in the months of ..... [to be entered].
- (b) Special Meetings may be called at any time on the instructions of the Chairperson of the community council on the request of not less than one-half of the total number of Community Council members; or the receipt of a common written request (petition), signed by at least 20 persons, resident within the Community Council area, to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting. A special meeting shall be held within 14 days of the receipt of the request made to the Secretary of the Community Council. Annual general meetings are held annually.
- (c) The notice of ordinary and annual general meetings of the Community Council, featuring the date, time and venue, shall be provided to each Community Council member and the local authority's named official by the Secretary of the Community Council, at least 7 days before the date fixed for the meeting.

### 2. Minutes

Minutes of the proceedings of a meeting of the Community Council shall be drawn up within fourteen days from the date of that meeting, distributed in accordance with paragraph 3 of the Scheme of Community Councils, submitted to the next meeting of the Community Council for approval, and retained for future reference.

### 3. Quorum

A quorum shall be one-third of the current membership eligible to vote (and not less than 3).

### 4. Order of Business

#### (i) Ordinary Meeting

The order of business at every ordinary meeting of the Community Council shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last meeting of the Community Council shall be submitted for approval.

- (c) Any other item of business, which the Chairperson has directed, should be considered.
- (d) Any other competent business.
- (e) Questions from the floor.
- (f) Chairperson to declare date of next meeting and close meeting.

**(ii) 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, 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 order of business at every annual general meeting of the Community Council shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last annual general meeting of the Community Council shall be submitted for adoption.
- (c) Chairperson's Annual Report (and questions from the floor).
- (d) Secretary's Annual Report (and questions from the floor).
- (e) Treasurer's submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- (f) Demit of current office bearers/election of office bearers.
- (g) Chairperson to declare date of next annual general meeting and close meeting.

**(iii) Special Meeting**

The order of business at every special meeting of the Community Council shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) Business for debate, as described in the calling notice for the special meeting.
- (c) Chairperson to close meeting.

## **5. Order of Debate**

- (a) The Chairperson shall decide all questions of order, relevancy and competency arising at meetings of the Community Council and her/his ruling shall be final and shall not be open to discussion. In particular, the Chairperson shall determine the order, relevancy and competency of all questions from the public in attendance at meetings of the Community Council raised at 4, above. The Chairperson in determining the order, relevance and competency of business and questions shall have particular regard to the relevance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chairperson shall have the power, in the event of disorder arising at any meeting, to adjourn the Community Council meeting to a time he/she may then, or afterwards, fix.
- (b) Every motion or amendment shall be moved and seconded.
- (c) After a mover of a motion has been called on by the Chairperson to reply, no other members shall speak to the question.
- (d) A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.
- (e) A motion or amendment which is contrary to a previous decision of the Community Council shall not be competent within six months of that decision.

## **6. Voting**

- (a) Decisions shall be reached by majority vote.
- (b) 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.
- (c) In the event of an equality of votes, the Chairperson of a meeting of the Community Council shall have a casting vote.

## **7. Alteration of Standing Orders**

A proposal to alter or add to these Standing Orders may be proposed to Renfrewshire Council at any time by the Community Council provided that notice of motion to that effect is given at the meeting of the Community Council previous to that at which the motion is discussed. Renfrewshire Council shall have final discretion on any proposed change.

## **8. Committees**

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

## **9. Suspension of Standing Orders**

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

## **CODE OF CONDUCT FOR MEMBERS OF COMMUNITY COUNCILS**

The Code of Conduct for Members of Community Councils is based largely on the Code of Conduct for local authority councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

As representatives of their local communities, community council members 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 council members and those representing the Community Council. These principles are as follows:

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

### **Service to the Community**

As a community council member you have a duty to act in the interests of the local community which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Council's Scheme for the Establishment of Community Councils, as set out by Renfrewshire 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 as a whole, on any issue, irrespective of personal opinion.

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

### **Selflessness**

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

## **Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by the Community Council, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to 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 of the Community Council.

## **Objectivity**

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

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

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

## **Accountability and Stewardship**

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

Community council members will individually and collectively ensure that the business of the Community Council is conducted according to the Council's Scheme for the Establishment of Community Councils and this Code of Conduct.

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

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible and not later than 14 days after each meeting.

Any breach of the Council's Scheme for the Establishment of Community Councils as set out by Renfrewshire Council 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.

### **Openness**

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

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

### **Honesty**

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

### **Leadership**

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

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

### **Respect**

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a community council member.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

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

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Community Councils	2019 Population*	2019 Annual Admin Grant**	Minimum members	Maximum members
Bishopton	6491	£795	10	30
Bridge of Weir	4776	£743	7	21
Brookfield	771	£623	7	21
Charleston	6113	£783	10	30
Ferguslie	4116	£723	7	21
Elderslie	6319	£790	10	30
Erskine	15170	£1,055	10	30
Foxbar & Brediland	13051	£992	10	30
Gallowhill	5600	£768	10	30
Glenburn	9291	£879	10	30
Hawkhead & Lochfield	7003	£810	10	30
Houston	6535	£796	10	30
Howwood	1798	£654	7	21
Hunterhill	2698	£681	7	21
Inchinnan	1900	£657	7	21
Johnstone	16084	£1,083	10	30
Kilbarchan	3709	£711	7	21
Langbank	1019	£631	7	21
Linwood	8685	£861	10	30
Lochwinnoch	3436	£703	7	21
Paisley East & Whitehaugh	8163	£845	10	30
Paisley North	5051	£752	10	31
Paisley West & Central	10452	£914	10	30
Ralston	4770	£743	7	21
Renfrew	22929	£1,288	10	30
	<b>175930</b>	<b>£20,278</b>	<b>220</b>	<b>661</b>

\*Sources: 2014 Estimate - 2011 Census, 2018 Estimate - National Records of Scotland 2016 mid year population

\*\*Figures have been rounded to the nearest £



## **SUMMARY OF EXPECTATIONS**

### **Community Councils are expected:**

- to comply with the requirements of this Scheme and the community council Constitution and Standing Orders;
- to ensure all community council members adhere to the Code of Conduct;
- to be representative of all sectors of the community within their area;
- to organise and conduct meetings in accordance with the Scheme, Constitution and Standing Orders;
- to conduct at least 6 ordinary meetings and an AGM each year;
- to produce and distribute an agenda together with a minute of the last meeting at least 7 days prior to each meeting;
- to prepare and publish annual accounts that have been independently examined;
- to hold Public Liability insurance;
- to register, in terms of the Data Protection Act, as a Data Controller with the Information Commissioner's Office each year;
- to hold elections to the community council in liaison with Renfrewshire Council;
- to identify and employ consultation methods that promote engagement with the community;
- to be non-sectarian, non-Party political and ensure equality of opportunity for all residents; and
- to immediately advise Renfrewshire Council of any changes to membership.

### **Community Councils that comply fully with this Scheme can expect:**

- to be consulted and make representations on planning applications;
- to be recognised as a competent body to comment on licensing applications;
- to be recognised as a member of the appropriate Local Partnership taking forward the aims of Renfrewshire Community Planning Partnership/Community Empowerment Act (or equivalent Council structure);
- to obtain information, advice, training and support from Renfrewshire Council;
- to receive an annual administration allowance on submission of independently examined annual accounts (due in October each year);
- to be recognised as an appropriate body to apply for other Renfrewshire Council funding and to be signposted to sources of funding available from other organisations; and
- to receive acknowledgment (within 5 working days) and reply (within 10 working days, in general) to enquiries about Council services.