

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. Under the legislation, every local community in Scotland is entitled to petition their local authority to start a community council in their area.
- 1.2 This scheme is designed to establish community councils across Renfrewshire and is based on the national model Scheme endorsed by the Scottish Government, COSLA and the Association of Scottish Community Councils. The Scheme reflects local circumstances and has been produced after consultation with the Council's five Local Area Committees, twenty-two active community councils and all other interested parties.
- 1.3 Guidance Notes will be produced to accompany this Scheme and explain practical aspects of its implementation. These will be updated regularly as required.
- 1.4 The Scheme is a summary of the framework that will govern the operation of community councils within Renfrewshire. Further information and clarification may be obtained from the Director of Finance & Corporate Services or her representative.

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"

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 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 on planning applications. Licensing matters and any other matters may also be jointly agreed between community councils, the Council and other public sector and private agencies.
- 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 the Council and other agencies.
- 3.6 In carrying out their activities community councils must at all times adhere to the law, the terms of this Scheme for the Establishment of Community Councils and Code of Conduct for Community Councillors.
- 3.7 Each community council is required to adopt a Constitution, based upon the model Constitution (Appendix A), which has been produced for national use, together with model Standing Orders (Appendix B) 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 requires to be approved by the Director of Finance & Corporate Services.
- 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. In order to fulfil their responsibilities as effective and representative, community councils shall: -
 1. be non sectarian and non political;

2. inform the community of their work (for example, through the issue of newsletters and establishing and maintaining websites) and decisions reached by posting agendas and minutes of meetings in public places, such as libraries and notice boards and, subject to the provisions contained within the Data Protection Act 1998, provide contact details of community council members;
3. submit agendas together with minutes of the previous meeting to the local authority within 14 days of the date of each meeting;
4. distribute agenda and minutes to community council members, *ex officio* members and other interested parties to meet the requirements of the Constitution and Standing Orders.
5. seek to broaden both representation and expertise by promoting Associated Membership of the community council of persons for specific projects/issues;
6. 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;
7. maintain proper financial records and present regular financial reports at community council meetings. A recognised format for financial record-keeping is featured in the Guidance Notes accompanying this Scheme;
8. inform the Director of Finance & Corporate Services or her representative of any change in membership (ie resignations, co-options, associate membership) as soon as is practicable and record any such changes in membership at the next ordinary meeting;
9. hold appropriate Public Liability insurance; and
10. register as Data Controllers with the Information Commissioner's Office.

4. Community Council Areas within Renfrewshire

- 4.1 Following consultation, local demand has determined that community councils be established in 26 neighbourhood areas. A list of named community council areas and their approximate population is attached as Appendix D, together with a map defining the boundaries to apply to each area. (See 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, United Kingdom and European 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 The 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 The 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 17 year-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, UK or European 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 Nominations and 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 & Corporate Services.
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 & Corporate Services. Where the number of established community councils exceeds a level to be determined by the Director of Finance & Corporate Services, 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 & Corporate Services.
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 & Corporate Services 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 area and appear on the Electoral Register for that area. Nominations require 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 & Corporate Services may determine the circumstances to apply to a staged approach to council-wide elections.

7.7 Filling of casual places/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 her/his 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. They must be elected to 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.
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, MSPs and MEPs 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

- 8.1 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 any community council meeting, with or without submitting apologies, throughout a period of 6 months, the community council shall 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 months may be granted at any meeting of the community council.

10. Meetings

- 10.1 The first meeting of a community council following a 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 one annual general meeting and 6 ordinary meetings being held each year. 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 The quorum for community council meetings shall be one-third of the current number of members of the community council eligible to vote.
- 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. Liaison with the Local Authority

- 11.1 In order to facilitate the effective functioning of community councils, the Council has identified that the Senior Committee Services Officer (Community Council Liaison) will provide a liaison service to community councils.
- 11.2 Community councils may make representations to the Council, its planning partners, 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 Council official. On issues where a Council department is consulting with community councils, representations should be made to the appropriate departmental officer.
- 11.3 Community councils shall provide copies of their agendas and minutes within prescribed timescales to the Director of Finance & Corporate Services, through the office of the Senior Committee Services Officer (Community Council Liaison).

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 audited statement of 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 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 the Senior Committee Services Officer (Community Council Liaison). The Director of Finance & Corporate Services 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.
- 12.6 In addition, the Council will:
- (a) provide a discounted printing service; and
 - (b) purchase membership and basic public liability insurance from the Association of Scottish Community Councils via their national insurance scheme and deduct the cost from the Administration Grant of participating community councils at source. Community councils may opt out of this scheme and purchase alternative public liability insurance on request.
- 12.7 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 and Corporate Services 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

12.8 The Council will review the level of administrative grant and other support to community councils on an annual basis.

12.9 The Senior Committee Services Officer (Community Council Liaison) 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.

12.10 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.

13.2 The Council will participate in the national scheme offered by the Association of Scottish Community Councils and block purchase discounted public liability insurance and membership on behalf of community councils. Costs will be recovered from the allocated Administration Grant of participating community councils.

13.3 Community councils are not bound to participate in the national scheme and can arrange alternative, appropriate insurance.

14. Dissolution of a Community Council

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

14.2 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.

- 14.3 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.

If you would like a copy of this publication in an alternative format or language, please contact Anne McNaughton on 0141 840 3147

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我們可提供本文檔的繁體中文拷貝。若需此拷貝，請致電0141 840 3281
與首席執行官辦公室的Graeme McLatchie 聯繫。

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 840 3281.

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 the local authority’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 the local authority and the Community Councillors’ Code of Conduct.

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 the local authority.

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. With the exception of circumstances which may arise under the **Scheme for the Establishment of Community Councils**: Clause 7 – Community Council Elections [Co-option]; and **Standing Orders**: Clause 16 – Alterations to the Constitution and its Clause 17 – Dissolution, all decisions of the Community Council will be decided by a simple majority of those eligible to vote and present and voting.

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 the local authority, 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 to committees of the Community Council 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.
- (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) Including the annual general meeting, the Community Council shall meet not less than 7 times throughout the year.
- (d) Dates, times and venues of regular meetings of the Community Council shall be fixed at the first meeting of the Community Council following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 10 days public notice, either called by the Chairperson, or on the request of not less than one-half of the total number of Community Council members. Renfrewshire Council's Director of Finance & Corporate Services 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 prescribed 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 the 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) There is a strong presumption that the Community Council shall meet in public and that all items of business shall be taken in public. However, in exceptional cases items of business can be taken in private where it 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 be delegated to 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 ten days before the date of any such meeting, and, where possible, be advertised by other suitable means.

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 prescribed 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 the local authority.

When special meetings of the Community Council are to be held, this officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 10 days in advance of the meeting date.

14. Control of Finance

- (a) 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. 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 and Corporate Services:-
- 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
- (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 may 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 nor relatives of members of the Community Council, shall be submitted to an annual general meeting of the Community Council and shall be available for inspection at a convenient location.
- (g) The financial year of the Community Council shall be from 1 September to 31 August the succeeding year. Examined accounts as received and approved by the Community Council at the annual general meeting shall be submitted to the local authority 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 ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for the Establishment of Community Councils.

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 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

.....

Signed: Chairman

.....

Member

.....

..... Member

..... Date

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]. 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.
- (b) 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 10 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.

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) Extraordinary General Meeting

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

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

- (c) Chairperson to close meeting.

5. Order of Debate

- (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 these Standing Orders may be proposed to the local authority to be altered or added to 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 COMMUNITY COUNCILLORS

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

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

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

Service to the Community

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

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

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

Selflessness

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

Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. 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 Councillor, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

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

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

Accountability and Stewardship

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

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

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

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

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

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 Councillor.

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

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

COMMUNITY COUNCIL AREAS WITHIN RENFREWSHIRE

Community Council	Population*	Minimum Membership	Maximum Membership	Annual Administration Grant**
Bishopton	5250	10	30	£657
Brediland	7130	10	30	£714
Bridge of Weir	4770	7	21	£643
Brookfield	860	7	21	£526
Charleston	4320	7	21	£630
Craigielea	4150	7	21	£624
Elderslie	5410	10	30	£662
Erskine	15530	10	30	£966
Foxbar	7090	10	30	£713
Gallowhill	5440	10	30	£663
Glenburn	8790	10	30	£764
Hawkhead & Lochfield	7480	10	30	£724
Houston	7010	10	30	£710
Howwood	1830	7	21	£555
Hunterhill	2640	7	21	£579
Inchinnan	2170	7	21	£565
Johnstone	16140	10	30	£984
Kilbarchan	3630	7	21	£609
Langbank	1150	7	21	£534
Linwood	8480	10	30	£754
Lochwinnoch	3330	7	21	£570
Paisley East & Whitehaugh	8220	10	30	£747
Paisley North	3810	7	21	£614
Paisley West & Central	10070	10	30	£802
Ralston	4870	7	21	£646
Renfrew	20020	10	30	£1101
	<u>169,590</u>	<u>224</u>	<u>672</u>	<u>£18,088</u>

*Source: based on General Register Office for Scotland (GROS) Small Area Population Figures as at mid 2006

**In calculating the Administration Grant, figures have been rounded to the nearest £.