

REPORT TO ABERDEENSHIRE COUNCIL – 21 NOVEMBER 2019

REVIEW OF THE SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

1 Reason for Report / Summary

- 1.1 To report the result of the Light Touch Assessment of the Scheme for the Establishment of Community Councils (the Scheme) and to ask that Full Council determines whether amendments are required to be made to the Scheme.

2 Recommendations

Aberdeenshire Council is recommended to:

- 2.1 Consider the result of the Light Touch Assessment of the Scheme for the Establishment of Community Councils; and**
- 2.2 Determine whether to commence a Review of the Scheme for the Establishment of Community Councils in accordance with Section 53 of the Local Government (Scotland) Act 1973, on the basis of the proposals in Appendix 2 and in accordance with the process in Appendix 3.**

3 Purpose and Decision-Making Route

- 3.1 Community Councils are created and governed through a Scheme of Establishment which is developed by all Scottish Local Authorities. The current [Scheme](#) was adopted on 1st April 2018, following a statutory process which resulted in the revocation of the Scheme that was adopted in 2007. When approving the current Scheme, Full Council at its meeting on 28th September 2017 instructed that *'a light touch assessment be scheduled for January 2019 and annually thereafter and a full review scheduled to commence April 2023.'*
- 3.2 If Full Council determines that a review of the Scheme is required then in accordance with the Local Government (Scotland) Act 1973, the formal process of the review of the Scheme will be commenced on the basis of the proposals in **Appendix 2** and the statutory process in **Appendix 3** will be followed. These proposals are based on the feedback from Community Councils during the Light Touch Assessment (LTA) and Officer recommendations.
- 3.3 When the current Scheme was in front of Full Council previously, it was on the basis of the statutory requirements of the Local Government etc. (Scotland) Act 1994 which does not require a special meeting. However, as this is a review and amend process, not a total revocation of the Scheme, the relevant legislation is Section 53 of the Local Government (Scotland) Act 1973. This Act requires that all of the decisions on the amendment of the Scheme are made at

a special meeting of Full Council with a two thirds majority. Compliance with legislation is paramount.

4 Discussion

- 4.1 Officers instigated discussions on the Light Touch Assessment in January 2019. Following these discussions, it became obvious that the community councils needed longer to be able to assess the impact of the Scheme and also should go through arranging the AGM, verification of accounts and an election process before they could be in a position to respond to the LTA. Therefore, all community councils were emailed on 1st April 2019 (one year after adoption of the Scheme) and a response to the LTA was requested by the end of June 2019. Officers have accepted all the Community Council responses that have arrived to date.
- 4.2 The responses are in **Appendix 1** and the Officer comments are set out next to each response. It is clearly indicated whether a change to the Scheme is required to deal with an issue raised in the response.
- 4.3 In **Appendix 2**, Officers have proposed improvements to the Scheme that take into account the responses from Community Councils.
- 4.4 The Scheme can only be amended by the agreement of Full Council and by following the statutory process. This process is in **Appendix 3**. If Full Council determine to review the Scheme, it will be authorising the publication of the first public notice of review.

5 Council Priorities, Implications and Risk

- 5.1 This report helps deliver

Council Priority 1 - Support a strong, sustainable, diverse and successful economy

Council Priority 8 - Work to reduce poverty and inequalities within our communities

Council Priority 10 - Having the right people, in the right place, doing the right thing, at the right time.

- 5.2 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed.

Subject	Yes	No	N/A
Financial	x		
Staffing	x		
Equalities	EIA attached as Appendix 4		

Fairer Scotland Duty	EIA attached as Appendix 4		
Town Centre First			x
Sustainability			x
Children and Young People's Rights and Wellbeing			x

- 5.3 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 4 and an overall positive impact has been identified.
- 5.4 The staffing implication is that the Community Council Review Team (a cross service group of officers led by the Area Manager (Garioch)) will manage the process and this will be managed within current capacity. The financial implications are the costs for the publication of the legal notices. These costs will be met equally from both the Legal and Governance budget and Area Managers Community Council related budget.
- 5.5 The following Risk has been identified as relevant to this matter on a Corporate Level:

Corporate Risk Register.

ACORP005 - Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation.

The following Risk has been identified as relevant to this matter on a Strategic Level:

Directorate Risk Register

BSSR004 Community Empowerment

The Community Empowerment Act 2015 provides mechanisms to empower community bodies through the ownership of land and buildings and by strengthening their voices in decisions that matter to them. Through the delivery of the Act we can ensure our communities will be supported to do things for themselves and have their voices heard in the planning and delivery of services. Through improved community engagement and participation, the Council and partner organisation can deliver quality, more responsive services and better outcomes for communities.

Whilst the Act does not cover Community Councils, the ethos of this risk does. A strong, clear, robust Scheme enables good governance to be practiced by Community Councils, giving them a sound basis to increase capacity and represent their communities effectively.

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 Full Council can consider and determine this matter in terms of A.3.1 of Part 2A, List of Committee Powers in the Scheme of Governance.
- 6.3 Section 53 (3) of the Local Government (Scotland) Act 1973 requires that a decision to review the Scheme shall be made by a resolution passed by not less than two thirds of the members voting at a special meeting.

RITCHIE JOHNSON DIRECTOR OF BUSINESS SERVICES

Report prepared by Ann Overton, Senior Solicitor (Democratic Services), Legal and Governance

Date – 30th October 2019

List of Appendices

- Appendix 1 – Feedback from Community Councils and Officer Responses
- Appendix 2 – Draft proposals for amendments to the Scheme
- Appendix 3 – Statutory Process
- Appendix 4 – Equality Impact Assessment

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Community Council	Matters Raised	Response from Officers	Scheme change required
New Aberdour, Tyrie & Pennan (07/04)	<p>Eligibility – The village of Pennan has a very small number of year-round residents (perhaps a dozen or so). This limitation reduces the size of the pool for perspective CC members to represent Pennan. We feel that the eligibility for Pennan and similar villages should be broadened to include folks who have second homes in Pennan. This provision would provide a larger pool and thus a higher likelihood to fulfill the 4-person seats provided in our constitution. Under the present SoE, we struggle to fill the 4 seats with such a small number of folks who are presently eligible. The 4 seats which are prescribed in our constitution are needed as there are a significant number of issues that face Pennan, and we need those seats filled to share the workload.</p>	<p>A maximum number of two Community Councillors who do not reside in the area of the Community Council is permitted as part of the maximum membership number specified in the constitution of the Community Council (Ref Section 6.1.4 in the Scheme).</p> <p>However, eligibility for these 2 spaces is set out in Section 6.1.2. In order for second homeowners to be eligible to be a member of a Community Council this criterion requires to be added to Section 6.1.2.</p> <p>Community Councils would then have the discretion as whether to add this further element of criteria of eligibility to their constitutions.</p>	Yes
	<p>Advance knowledge of present CC members who are choosing not to stand again - in the current procedure, there is no provision to determine which CC members will choose not to stand again before the “election”. The nomination papers will be sent to all present CC members whose term has expired. Now, if all those members choose not to stand again and the “posters” fail to convince new folks to stand, then there will be a large void. In our</p>	<p>It is normal practice for standing Community Council members to seek a view from its members about the likelihood of them standing again, however, this should not stop all members of the Community Council from encouraging residents to become involved. If the numbers applying exceed the maximum number of places, this is a good thing and would allow the community to choose its representatives through a ballot.</p>	No

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	<p>case, all 12 members will be standing down as their term will expire on 5 June and we don't know who will choose not to stand again until the election. Not knowing who is choosing not to stand, the CC is not able to go out a try to recruit new members to take their place. We must rely on posters to convince people to come on to the CC to replace those that choose not to stand again. Not a very sure shot method to get new members. Perhaps it would work for Inverurie and the larger settlements, but the smaller villages will struggle fill seats without advance recruitment.</p>		
Whitehills & District (25/4)	No great change to the previous S of E and it is what it is.	Noted	No
	First AGM since change so no comment on simplification/complication	Noted	No
	Puts a huge and possibly unnecessary onus on Council employees with poster preparations/election process/hall bookings, etc.	Noted, hence exploration of single election date which would not only achieve better, wider publicity across the board for Community Council elections but would also reduce officer time commitment for elections. A single election date is more efficient overall.	Yes
	In short, a huge and time wasting exercise for those C.C. s who were carrying out the proper procedures in the first place.	Noted, but these Community Councils should now see a decrease in the workload around elections.	No

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Bennachie (11/05)	To date BCC feels the new Scheme is working well and that the recent BCC elections were well managed.	Noted	No
Alvah & Forglen (13/05)	We met on 30 April and our only comment was that there was no rationale for the 3 year tenure as a community councillor and that this should be extended to at least the same as that of an Aberdeenshire councillor - the three years is a Scottish Gov matter and we are the same as other local authorities.	Officers see merit in investigation and review of terms of office.	Yes
Huntly (21/05)	We felt it was too early to evaluate fully but have found little change to our practices. Unfortunately, we have not had applications from Junior Members but support the idea and the application process is simpler.	Noted	No
Portsoy (22/05)	This is the first time we have used the Scheme and we had great concerns about how it would work but to be honest now that we have completed it once it has been painless and we have had great support from Area office. Our AGM was held in June anyway so that has not changed for us.	Noted	No
Newtonhill, Muchalls and Cammachmore (22/05)	Section 9.d. of the Scheme for Establishment of Community Councils says: "The Community Council shall appoint an independent verifier, acceptable to Aberdeenshire Council, to independently verify the accounts of the Community Council annually". The Scheme	The Council would be looking for the Community Council to appoint someone who has an understanding of financial matters and is considered honest and trustworthy (Ref Section 12.1 of the Scheme)	Yes, 12.1 should be reworded.

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	needs to define what is meant by “acceptable to Aberdeenshire Council”? I would hate to ask someone to verify our accounts, only to have to tell them that they are unacceptable.		
	<p>The Election Nomination Form is more complicated than it needs to be:</p> <ul style="list-style-type: none"> It should not be necessary to put the name of the Community Council twice on the first page of the form. 	The first mention is part of the heading of the form, the second relates to the statement by the nominee about the Community Council they wish to join.	No
	<ul style="list-style-type: none"> Why put the electoral number on the form? If Aberdeenshire Council check the candidate is on the electoral register, then they can tick a box. If they don't check the number, then why is it needed? 	It is useful if they know their number for it to be included, however, Council Officers will complete/check this when the form is submitted. The form will be accepted with just the box ticked.	Yes
	<ul style="list-style-type: none"> It should not be necessary for the candidate and the witness to sign and date both pages two and three of the form. 	We will look amend the nomination form to have only one signature	Yes
	<ul style="list-style-type: none"> Page three of the nomination form has the Aberdeenshire contact address as kincardineandmearns@aberdeenshire.cov.uk, which looks like a typo! 	Thank you for pointing this out, it is a typo.	No
	<ul style="list-style-type: none"> The retention period for the data is: 	The suggestion makes sense and we will look to amend in the nomination form	No

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	<p>(1) The nomination papers will be retained for the period that the Community Councillors are in office and a further two years and will then be destroyed.</p> <p>(2) Nomination papers for any candidates that are unsuccessful in being elected to the relevant Community Council, or who cease to hold office as a Community Councillor will be retained for a period of two years and will then be destroyed.</p> <p>Bullet point (2) includes all of point (1), making point (1) redundant.</p>		
Tarves (22/05)	<p>At a recent meeting Tarves Community Council discussed the Light Touch Review of the Community Council Scheme of Establishment. The decision of the CC was that we have no comment to make. Our Chair Robert Davidson was involved in a CC Hearing the content of which remain confidential. Mr Davidson will provide direct comments on the procedure.</p>	<p>Noted</p> <p>Comments were received from Mr Davidson on a confidential basis and acknowledged accordingly.</p>	No
Deer (24/05)	<p>At the recent meeting of Deer Community Council, it was agreed that the CC Scheme of Establishment was acceptable to all and that no adverse situations had arisen as a result of the scheme.</p>	<p>Noted</p>	No

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<p>Catterline, Kinneff & Dunnottar (27/05)</p>	<p>Catterline, Kinneff and Dunnottar Community Council (CKDCC) have the following feedback in relation to the Scheme of Establishment adopted last year</p> <p>Generally speaking, the scheme is working well</p>	<p>Noted</p>	<p>No</p>
	<p>CKDCC has experienced difficulties in attracting youth members to attend on a regular basis (within the past year, we have only managed to attract one youth who attended one meeting only)</p>	<p>This is difficult for many Community Councils particularly if they do not have an Academy in the location, however, it is something that the community Council should bear in mind and use when the opportunity arises. Officers are currently working with CLD to assist Community Councils with their young people and junior members</p>	<p>No</p>
	<p>As we have not yet held elections, it is unknown how at this time on how this part will perform due to having three distinct areas within the community council.</p>	<p>Noted</p>	<p>No</p>
<p>Banchory (30/05)</p>	<p>We have not found any real issues with the new Scheme of Establishment.</p> <p>The main comments we would have relate to the recruitment exercise:</p> <p>We were disappointed that no advertisement was placed by Aberdeenshire Council in the local paper. Instead a press release was issued which bundled a number of community councils together. While we appreciate the</p>	<p>The cost of advertising all of the elections taking place across Aberdeenshire would be considerable and prohibitive and the decision was taken to use press releases and posters instead. Community Councils were also encouraged do</p>	<p>Yes</p>

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	Authority has to cut costs, this seems an economy too far and does not seem particularly supportive of community councils.	promote through social media channels in their areas. However, in response, officers propose a single election date and this would a more efficient process and allow much wider and higher profile publicity for Community Council elections.	
	We had 5 vacancies and had 5 applications and, therefore, didn't need an election. If we had, however, there would have been little time to generate interest amongst potential electors. In a large community like ours, communication is quite difficult. Although the date for a possible election was given at the same time as the request for applications, to ensure a reasonable number of voters would have taken longer than a week. The timescale was such that we would have missed deadlines for the local paper and found it difficult to get posters etc out in time.	Again, this would be much easier and better publicised through a single election date. This would allow for an improved process and longer time scales.	Yes
	We have enjoyed having Junior Members. This has also assisted us to enhance our relationship with the local Academy.	This is very positive.	No
	Do we have a Community Council Liaison Officer as outlined in Section 11 Liaison with the Council? We are unclear if this means the Marr Area Manager or whether there is someone else. Our links with the Marr Area Office are excellent.	Yes, we do, her name is Maureen Stephen. However, locally the direct point of contact for you would be your Area Committee Officer in your Area Office	No

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<p>Feughdee (30/05)</p>	<p>Feughdee West Community Council wish to comment on the restrictiveness of the age range imposed on Junior Members.</p> <p>We have found that the Junior Members are only just 'finding their feet' and beginning to contribute in a purposeful way when they are obliged to stand down due to being too old at their 16th birthday.</p> <p>It would be more beneficial to have them elected for a three year term, as is for all other councillors. Alternatively increase the upper age limit to 17 yrs.</p>	<p>At the age of 16, junior members are entitled to stand as full Community Councillors or indeed if there is not an election due in the near future, they could be co-opted to fill a vacancy, or if there is no vacancy, the Community Council could nominate them as an associate member to bring their expertise in youth matters to the meetings.</p>	<p>No</p>
<p>Mearns (02/06)</p>	<p>Members feel that more than a light touch review is required.</p>	<p>Noted, but this was what was agreed by Full Council when the Scheme was adopted since such an extensive consultation took place prior to adoption.</p>	<p>No</p>
	<p>Concern about lack of support from the Council in respect of what insurance cover is accessible to members.</p>	<p>Insurance cover information is now available direct from your insurance provider. This allows Community Councils to have direct conversations about the cover they require. No change has been made to the arrangements for payment of the premium.</p>	<p>No</p>
	<p>Complaints procedure – this not satisfactory. Given that CC members are volunteers this process takes a lot of time and does not give members a sense of being appreciated. Far</p>	<p>Agreed, a revised process is part of the officer proposals.</p>	<p>Yes</p>

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	too easy for people make false accusations against both CC's and individual members.		
	The clause referring to asset removal needs clarification – two paintings which belong to the people of Laurencekirk have been removed from the Burgh Buildings – it is not known where these have gone and whether they can be recovered and given back to Laurencekirk. The clause in the scheme should refer only to financial asset.	If a Community Council dissolves it is right and proper that the Council retain assets for safe keeping until the Community Council can re-establish. Officers in Kincardine and Mearns Area Office have looked into this issue and the paintings have been located. The Community Council has been asked to identify a suitable location for these to be displayed within The Mearns.	No
	Members feel that Aberdeenshire Council don't understand their individual constitution – adopted last year with the approval of the Area Manager. One size doesn't fit all when it comes to CC elections and membership.	Whilst the model constitution is encouraged, Community Councils have certain flexibility that they can exercise, following consultation with the Area Manager.	No
	The nomination form approved by Aberdeenshire Council differs from the one being made available this year. No nomination is required, and applicants need not be on the electoral role – those eligible to vote, should an election be required, need to be on the electoral role – how does that work?	The nomination form has been revised and simplified making it easier for people to be nominated and contacted, if necessary. The Data Protection regulations also needed to be updated. It is correct that there are certain instances where those not on the voters' roll can nominate themselves, but it is only voters registered on the voters roll that would be eligible to vote in any ballot.	Yes

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Tap O Noth (03/06)	Tap O Noth Community Council discussed this as requested at their meeting of 13th May 2019. It was agreed that no specific issues were to be raised and reported back.	Noted	No
Ythan (04/06)	During our AGM last night YCC did not feel that there were any pressing issues that warranted a change to the current scheme.	Noted	No
Portlethen (07/06)	We need to have a method of removing any Community Councillors that may have mis-used their title without the permission of the Community Council or have gone against the wishes of the Community Council. A six month ban is not strong enough for some cases. This needs to be happen with a full investigation and voting by all members.	This is all connected with the complaints process in Schedule 7. However, Community Councils can amend their constitutions to deal with repeat offenders breaching the Code of Conduct. This is endorsed by the Scottish Government in its guidance. Officers consider that a full review of Schedule 7 would mean that this would be consulted upon and, if agreed, the Scheme could empower Community Councils to make decisions on Code of Conduct matters through a robust process.	Yes
	Three years is too short a time it needs to be four years.	Officers see merit in investigation and review of terms of office.	Yes
	All having the same date election is so wrong. Are we all clones no room for individual choice? Please allow us to amend out own constitution so we feel that we have a small element of control over our own Community Council.	Whilst the model constitution is encouraged, Community Councils have certain flexibility that they can exercise, in consultation with the Area Manager. At the moment Community Councils do not have the same election dates, however, the dates are established from the date of your AGM which	Yes

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		means that they are on a number of different dates within a short period of time. It is proposed to implement a single election date to streamline the process and get more wide ranging and high profile publicity for the elections that cannot be done when all of the dates are different.	
	The way that the elections and nominations are meant to work has not worked for us in the PDCC. No one stepped forward no one was nominated. So as the numbers fell below the minimum needed at our next meeting the PDCC will be closing. Not good for the area.	It is unfortunate that this is the case for your Community Council, but it is difficult to see how an alternative process would improve the situation of no one is willing to take part. However, a single election would allow better promotion of the election and simplification of the nomination process took place at the main review of the Scheme.	Yes
Torphins (10/06)	Given the very protracted and painful process of the development of the new Scheme of Establishment Torphins Community Council does not think a further review is necessary at this time, particularly since we gained little feeling of recognition of our input during the initial development.	The light touch assessment was simply to address any issues that have been identified through the implementation of the Scheme and was agreed by Full Council when the Scheme was adopted.	No
	One matter we would mention is our disappointment, discussed in detail with Councillors and Area Office, that the forced change of AGM and financial year end timing caused the payment of the grant to TCC to be delayed effectively by three months. We are pleased Area Office agreed to a partial advance to bridge the gap. Although the annual	As you say, this was a one off change which should now be regularised and pose no further issues.	No

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	<p>payment amount for twelve months is not affected, the fact is that given the payments are delayed three months for all time, the Community Council has less income to the value of three months grant for all time. This situation should have been addressed by a one off provision during the re-writing of the Scheme of Establishment.</p>		
<p>Stonehaven & District (12/06)</p>	<p>Disciplinary Procedure</p> <p>Before invoking the Disciplinary Procedure, it should be verified that a complaint meets certain minimum standards. At the moment it seems too easy to make a trivial, frivolous, mischievous or malicious complaint that the CC feels obliged to deal with. We are now keenly aware of how much time and energy this can take up, not to mention the potential stress and anxiety for anyone accused. Also the whole process tends to be divisive and there may be quite negative longer term effects. Community councillors will ask themselves whether it's really worth continuing to participate if they are subjected to such pressure or intimidation.</p>	<p>Officers are proposing a revised process and this will be consulted upon.</p>	<p>Yes</p>
	<p>Firstly, it ought to be clear what is the subject of the complaint, by which I mean that the complainant should cite that paragraph in the code of conduct which has been allegedly breached. Maybe that could be extended to include also repeated actions which contravene</p>	<p>Whilst it is important that the nature of the complaints that are received by the Community Council is clear and the opportunity exists for the Chair to clarify and seek further information from the party if the complaint is not clear. It would not be considered necessary for specific clauses to be</p>	<p>Yes</p>

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	the constitution or standing orders but again, the complaint should refer to a particular paragraph or paragraphs.	stated as being breached as this should be able to be identified by the Community Council from the detail provided.	
	The charge of "bringing the community council into disrepute" is slightly different. In that case I believe the complaint should refer to specific actions or activities which are associated with the community council and which have been carried out in public or reported in the media. However, if another community councillor is responsible for the publicity, then he or she might be considered guilty of bringing the community council into disrepute, unless they were clearly acting in the public interest e.g. to highlight corruption or fraud.	It should be clear in the complaint that actions have been taken by the Community Council that relate to the complaint. If this is not clear, then further information should be sought from the complainer.	Yes
	Secondly, there ought to be some evidence to support a complaint, e.g. if emails are mentioned, it should be possible to produce those emails; or, if there were witnesses, their names should be provided.	Evidence relating to the complaint can also be sought from the complainer and this forms part of the proposed revised process which will be consulted upon.	Yes
	It's clear that neither the Area Manager nor the CC officers want to appear to be dismissive of genuine complaints. However, it could be quite reasonable to point out to a would-be complainant that his or her "complaint" was deficient in that it did not include a reference to any specific clause in the code of conduct nor did it provide or refer to any actual evidence.	As detailed above, further information can be sought to clarify the complaint if insufficient information is provided in the initial correspondence.	Yes

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	<p>Furthermore a complaint should normally be directed at a single named individual unless there is alleged to be a conspiracy or in the case that a third party complains about the Community Council as a whole e.g. that the CC have neglected to follow their own constitution or have not properly consulted the community.</p>	<p>Complaints should clearly identify the party or parties that are being complained against</p>	<p>Yes</p>
	<p>Finally in the event that the complaint is rejected, it should be made clear that the complaint has been found to be groundless, without evidence, unsubstantiated; and that those cited have been found to be blameless and have behaved properly as community councillors. The findings should then be given equal publicity to the original alleged complaint.</p>	<p>This should be done through the minuting of the process.</p>	<p>Yes</p>
	<p>Elections</p> <p>It had been our understanding that Aberdeenshire Council would organise the elections and that the Community Council would not need to be involved.</p> <p>However, this has not been the case. We were requested to create and distribute posters advertising the elections. As it has transpired, there was an issue in the coordination of where nominations forms would be available: Stonehaven Medical Centre had not been requested to hold some of the forms and in the event decided that they would not do so since</p>	<p>The Area Office produced the posters.</p> <p>Although the vast majority of the work around the election process has now been taken on by Council Officers, there is still a responsibility for the Community Council to publicise and promote the election to encourage members of their community to become involved. Posters are provided to the Community Council and the expectation is that Community Councils use these and all other tools at their disposal to publicise the election (e.g. newsletters, website, Facebook etc). However, the</p>	<p>Yes</p>

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	the election of community councillors was not a medical matter. Unfortunately, the posters already listed the Medical Centre as one of the locations where nomination forms were available.	proposed move to a single election date would allow for much wider ranging and higher profile publicity for all CC elections.	
Royal Burgh of Inverbervie (24/06)	The Royal Burgh of Inverbervie Community Council have nothing to say on this – we are satisfied with how it stands at the moment.	Noted	No
Kemnay (24/06)	The fact of having to re-write KCC's constitution to fit the model being presented by Aberdeenshire Council was contentious. A lot of time and effort had gone into creating KCC's original constitution and several members of the council didn't see the need to change a constitution that was well written and effective.	Noted.	No
	There was a feeling that community councils were being constrained, that their independence with regard to their approach to local democracy was being eroded.	Noted.	No
	Few issues were subsequently identified with the adoption of the Scheme of Establishment and the new Constitution, apart from some concerns expressed about the clarity of the election process: <ul style="list-style-type: none"> • One or two felt that when a community council is elected for its 3-year term, then that is the elected council for the term of 3 years, with additional members being co- 	Concerns noted. Officers have proposed to move to a single election date and subsequent revised timescales would improve the process and allow for much wider publicity not only of the election process, but also for any ballot that may or may not be required.	Yes

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	<p>opted, if necessary. There was discussion on who was in charge of the council and how it recruited members, as some felt there was an apparent shift from community councils having a fairly large degree of autonomy to being more closely managed by the local authority.</p> <p>(This was brought up at a recent KCC meeting attended by Alison Cumming who made it clear that Aberdeenshire Council had a statutory responsibility for community councils and undertook to manage the election process on their behalf. Aberdeenshire Council sees this as supporting community councils, helping them to maintain or increase their membership, and also strengthening the local democratic process.)</p> <p>Problem with the timescale of the election process? There didn't seem to be enough time between the deadline for applications (6th June) and the potential election (13th June) to get any information on those standing for election to the electorate. Apart from posting candidate profiles on the website and on Facebook, there wouldn't have been enough time to organise any other form of campaign, should an election have been necessary.</p>		
<p>Fintray (24/06)</p>	<p>The Fintray Community Council is currently mid-way through the process of re-electing Community Councillors, and there has been no</p>	<p>Noted</p>	<p>No</p>

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	<p>opportunity to raise this questions at a meeting of the Community Council ahead of the deadline of the end of this month.</p> <p>The AGM and first meeting with the new councillors is set for Tuesday 2nd July, at which point we will be transitioning to a number of new Councillors.</p>		
Meldrum, Bourtie & Daviot (25/06)	The members present discussed the new Scheme of Establishment and all agreed we have not encountered any problems so far and all looks good with the scheme.	Noted	No
Methlick (28/6)	<p>3.0 Constitution</p> <p>Some changes were required to the constitution, specifically regarding the member numbers and dates of meetings. These will be noted further in this document.</p>	Noted	No
	<p>6.0 Elections</p> <p>Although a formal voting election was not required and has never been required in Methlick, Aberdeenshire Council's undertaking to the process was more efficient than in previous years. They organised the booking of a venue for the said election to take place had it been required.</p>	Noted	No
	<p>7.0 Membership</p> <p>The new scheme allows the membership number to be more flexible, with the lower</p>	Noted	No

