

REPORT TO KINCARDINE AND MEARN'S AREA COMMITTEE – 31 AUGUST 2021

DISSOLUTION OF PORTLETHEN AND DISTRICT COMMUNITY COUNCIL

1. Reason for Report/Summary

- 1.1 The Committee are advised that Portlethen and District Community Council has been dissolved following the resignations of further members.

2. Recommendations

The Committee is asked to acknowledge that Portlethen and District Community Council has dissolved, and to note that efforts will be made to engage with the community to generate interest in establishing a new Community Council.

3. Purpose and Decision Making Route

- 3.1 The constitution of Portlethen and District Community Council (PDCC) requires that the membership of the Community Council should be not less than 7 and not more than 15.
- 3.2 The membership of the Community Council has fallen to two, following the resignation of the other remaining members, and in terms of the Aberdeenshire Council Scheme for the Establishment of Community Councils, Section 15, upon the number of members of the Community Council becoming less than the quorum then the Community Council is deemed to be automatically dissolved with immediate effect and then the Area Manager will report the automatic dissolution to the Area Committee.

4. Discussion

- 4.1 The Committee is requested to note that the resignation of members of the PDCC placed them below their minimum numbers and resulted in the dissolution of the PDCC. At this time a Community Council election was taking place, notices had been issued and it was felt appropriate to proceed with this process. It had been hoped that if sufficient new members had submitted nomination forms this would rectify the situation, however only one nomination form was submitted.
- 4.2 The result is that the Community Council was deemed to be automatically dissolved following the close of nominations.
- 4.3 Officers are now taking the necessary steps to ensure the retrieval of all paperwork, assets and funds pertaining to PDCC, to be held in trust until such time as a new Community Council may be formed.

- 4.4 Officers have recently contacted the Community Council in order to set up a steering group with the remaining members and look to include a nominee from the election process.
- 4.5 Upon the dissolution of Portlethen and District Community Council, arrangements have been put in place to stop all activity on that bank account until such time as the steering group determine the next steps. If the Community Council does not reform the funds will be transferred to Aberdeenshire Council for safekeeping, as required in the Scheme for the Establishment of Community Councils.

5. Council Priorities, Implications and Risk

- 5.1 This report helps deliver Council Priority 1 – Our People.
- 5.2 The table below shows risks and implications

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities		X	
Fairer Scotland Duty		X	
Town Centre First		X	
Sustainability		X	
Children and Young People's Rights and Wellbeing		X	

- 5.3 An integrated impact assessment is not required because the recommended action is a procedural matter in line with the Scheme for the Establishment of Community Council - Paragraph 15.1, and does not require detailed assessments in answer to any of the screening questions.
- 5.4 There are no staffing or financial implications directly arising from this report. The Area Manager will support the ongoing process of local engagement to seek to establish a new Community Council to represent the area.
- 5.5 The following Risks have been identified as relevant to these matters on a Corporate Level:

ACORP004 – Business and organisational change (including governance structures support changes and managing the pace of change).

No risks have been identified as relevant to these matters on a Strategic Level.

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 any comments received have been incorporated within the report. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee is able to consider and take a decision on this item in terms of Section B.3.6, of the list of Committee Powers in Part 2A of the Scheme of Governance as it relates to the dissolution of a Community Council.

Alan Wood
Director of Infrastructure Services

Report prepared by:- Emma Storey, Kincardine and Mearns Area Committee Officer
Date: 17 August 2021