

REPORT TO BANFF AND BUCHAN AREA COMMITTEE – 30 AUGUST 2022

BANFF & MACDUFF COMMUNITY COUNCIL – UPDATE

1 Executive Summary/Recommendation

This report provides Members with an update in respect of Banff and Macduff Community Council, since its dissolution in August 2021, reporting its re-establishment in July 2022.

1.2 The Committee is recommended to:

1.2.1 consider and comment on the successful re-establishment, following receipt of the necessary public petition, and an election process, of Banff and Macduff Community Council, formally dissolved in August 2021; and

1.2.2 confirm the allocation of £1,018 to the Community Council as administrative grant for 2022/23.

2 Decision-Making Route

2.1 In terms of the Scheme of Governance, the Area Committee has power to consider whether a Community Council should be dissolved, and if a Community Council is to be dissolved, to determine the date of dissolution. For completeness of the governance trail, this report comes to advise Members of the completion of the process.

3 Discussion

3.1 Banff and Macduff Community Council was dissolved following the resignation of 7 people (5 full members, 1 junior member and 1 secretary who was a non-member). The membership fell to four following the resignations, therefore the Community Council was found below quorum. The previous report can be found here – Item 11 -

<https://committees.aberdeenshire.gov.uk/committees.aspx?commid=2&meetingid=19890>.

3.2 Following the dissolution, the Area Manager met with the remaining four members to assess the appetite to reform the Community Council. This was received positively, and they agreed to seek support from members of the community who would be similarly interested. The Ward 1 and 2 Councillors were also encouraged to promote the proposed re-establishment amongst their Constituents.

- 3.3 The Local Government (Scotland) Act 1973 states that “where not less than 20 electors apply as mentioned in subsection (6) above, the local authority shall, within not more than six weeks from the date of the application, organise, in accordance with the scheme, elections or other voting arrangements for the purpose of establishing the community council”. A total of 21 electors had put forward their supporting email to the Area Manager by 13 June 2022, therefore launching the petition to commence the nominations process. This formal process started on 27 June and closed on 22 July 2022. There were 12 valid nominations received by this time and 2 vacant positions currently remain.
- 3.4 The re-constituted Community Council will hold its first meeting (AGM (Annual General Meeting)) on Thursday 25 August 2022, meeting at 7pm in Community Room 3, Deveron Community and Sports Centre, Banff, followed by an ordinary meeting at 7.30pm.
- 3.5 In considering, at the meeting on 21 June 2022 (Item 13,) the allocation of administrative grants to Community Councils, the Area Committee agreed the provision for an award of £1,018 to Banff and Macduff Community Council, should it be re-established in the current financial year.
- 3.6 The Area Manager and her team will continue to work with the Community Council to support their re-establishment process. A meeting will be held with the appointed Office Bearers at a mutually convenient date.

4 Council Priorities, Implications and Risk

- 4.1 The report helps to deliver the following Council Priorities:

Pillar	Priority
Our People	Education Health & Wellbeing
Our Environment	Infrastructure Resilient Communities
Our Economy	Economy & Enterprise Estate Modernisation

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; responsible finances; climate and sustainability; Community Planning Partnership Local Outcome Improvement Plans; human rights and public protection; tackling poverty and inequalities; digital infrastructure and economy.

4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

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

4.3 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken, as the operation of the Scheme of Establishment for Community Councils is a matter of governance, and the Scheme itself created in conformity with all equalities issues.

4.4 The following Risks, as contained in the Council's ([Corporate Risk Register](#)), have been identified as relevant to this matter on a Corporate Level:

- ACORP004 - Business and organisational change (including governance structures support change; and managing the pace of change)
- ACORP006 - Reputation management (including social media)

No risks have been identified as relevant to this matter on a [Strategic Level](#).

5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

5.2 The Committee is able to consider [and take a decision on] this item in terms of Section B.3 and 3.6 of the [List of Committee Powers in Part 2A](#) of the Scheme of Governance as it relates to the determination of whether, and if so when, to dissolve a Community Council in accordance with the Scheme for the Establishment of Community Councils.

Laurence Findlay

Director of Education & Children's Services

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Date: 19 July 2022