

## ABERDEEN CITY COUNCIL

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COMMITTEE	Special Council
DATE	13 June 2012
DIRECTOR	Stewart Carruth
TITLE OF REPORT	Review of Scheme for the Establishment of Community Councils
REPORT NUMBER:	CG/11/136

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### 1. PURPOSE OF REPORT

Following the second period of public consultation on the Amended Scheme for the Establishment of Community Councils, this report outlines the comments received and also requests that the Council adopt the Scheme for the Establishment of Community Councils commencing on 1 October 2012.

If the Scheme is adopted, a Public Notice requires to be advertised in the local press advising that the Council have concluded the public consultation and have adopted the Scheme.

### 2. RECOMMENDATION(S)

It is recommended that Council –

- (a) approve the extension to the boundary change between Cove and Altens Community Council and Nigg Community Council (as detailed in section 5.2 in the report)
- (b) determine whether the area of Stoneywood should transfer into the Bucksburn and Newhills Community Council area (as detailed in section 5.3 in the report and appendices 2 and 3)
- (c) note that additional wording to clearly define the boundary between Old Aberdeen and Froghall, Powis and Sunnybank Community Councils has been incorporated into the Scheme at Appendix 1;
- (d) approve the extension to the polling time from 8.00am to 8.00pm to allow for greater involvement by the public to participate in the democratic process;
- (e) adopt the Scheme for the Establishment of Community Councils and associated documents as appended; and

- (f) if adopted, authorise the issue of a Public Notice advising that the Council have adopted the Scheme.

### 3. FINANCIAL IMPLICATIONS

The cost of issuing a Public Notice to the local Press can be met from within the existing approved Community Council Advertising budget therefore there would be no additional financial implications for the Council.

### 4. OTHER IMPLICATIONS

There are no other direct implications arising from this report.

### 5. BACKGROUND/MAIN ISSUES

- 5.1 The Council at its Special Meeting on 4 April 2012 agreed for the amended Scheme for the Establishment of Community Councils to be issued for public consultation for an eight week period which ended on Friday 1 June 2012. Five responses were received which have been included at appendix 1 for your information.

- 5.2 The previous report to the Corporate Policy and Performance Committee on 8 March 2012 and then to a meeting of Special Council on 4 April 2012 outlined the boundary change that had been requested from Cove and Altens Community Council which was to include an area of Wellington Road between its junction with Souther Head Road and Hareness Road into their Community Council area.

During the second consultation period, Nigg Community Council in consultation with Cove and Altens Community Council, requested that the boundary change be extended so that the boundary between the two Community Councils would be Wellington Road enabling the remaining small area of Altens Industrial Estate to transfer into the Cove and Altens Community Council Boundary.

- 5.3 The Corporate Policy and Performance Committee also agreed that a request for the proposed boundary change for the Bucksburn and Newhills Community Council to include the Stoneywood area also be included in the further eight week consultation period.

Bucksburn and Newhills Community Council have submitted a list of reasons why they feel that the area of Stoneywood should be included in their area. The submission has been included at appendix 2 to the report.

Dyce and Stoneywood Community Council have also submitted a response indicating that they wish the area of Stoneywood to remain in their Community Council area. This has been included at appendix 3 to the report.

If Council decides to include Stoneywood into the Bucksburn and Newhills Community Council area then the names of both Community Councils will require to be amended to reflect the change. Dyce and Stoneywood would change to Dyce Community Council and Bucksburn and Newhills would change to either Bucksburn, Newhills and Stoneywood Community Council or simply Bucksburn Community Council (with clear mention of Newhills and Stoneywood in all documentation issued).

Bucksburn and Newhills Community Council if successful have still to agree on a new name therefore both have been listed in order that it be changed on agreement with the Community Council prior to the Scheme becoming operational on 1 October 2012.

One local resident submitted a response in favour of the boundary change (included in appendix 1).

- 5.4 The previous report also advised that additional wording may be required in order to clearly define the boundary between Old Aberdeen and Froghall, Powis and Sunnybank Community Councils. This information is included in the Names and Area descriptions contained within the Scheme.
- 5.5 Attached to the report at Appendix 4 is the Scheme for the Establishment of Community Councils which incorporates the Area Descriptions, Model Constitution which each Community Council are required to adopt and the Code of Conduct for Community Councils.
- 5.6 In terms of the Local Government (Scotland) Act 1973, as amended, a decision of a local authority to review their Scheme for the Establishment of Community Councils shall be a resolution passed by not less than two-thirds of the numbers voting thereon at a local authority meeting specifically convened for the purpose with notice of the object.
- 5.7 In accordance with the terms of the Local Government (Scotland) Act 1973, the Council has to inform the public that they have concluded the public consultation exercise on the proposed amendments to the Scheme and that the Scheme has been adopted.

## 6. IMPACT

This report takes into consideration aspects of the Community Plan and Single Outcome Agreement specifically in relation to Community Engagement. The Council are actively working to develop the working relationship between the Council and Community Councils through meetings with the Community Councils, their involvement in the Civic Forum and regular reviews of Community Council support.

## 7. BACKGROUND PAPERS

- (a) Local Government (Scotland) Act 1973, Chapter 65, Part IV.
- (b) Aberdeen City Council's current Scheme for the Establishment of Community Councils, dated November 2008.
- (c) Model Scheme for the Establishment of Community Councils issued by the Scottish Government in 2009.

## 8. REPORT AUTHOR DETAILS

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## Responses received as part of the second public consultation exercise

Respondent	Comments	Response/ Action Taken
Local resident from Stoneywood	Supporting the boundary request that the area of Stoneywood be transferred into the Bucksburn and Newhills Community Council Area.	<b>Council to determine</b>
Nigg Community Council	To request that the previous boundary request to have Wellington Road at its junction between Hareness Road and Souterhead Road be transferred into Cove and Altens Community Council area be extended so that the clearly defined boundary between the Community Councils would be Wellington Road	<b>Council to approve boundary</b>
Community Councillor from Kingswells Community Council	<p>I wish to object to the proposal to remove the existing time restraint for the office bearers of Community Councils. I believe that the proposed change would be unhealthy and bad for democracy. The present rules allow the chair to hold the position for a maximum of two terms, six years. If the proposed changes are implemented, a majority clique in a Community Council could prevent a change in office bearers indefinitely.</p> <p>I wish to object to the proposed change to the formation of a quorum,</p>	<p><b>The Corporate Policy and Performance Committee on 13 March 2012 agreed that a term restraint should not be imposed for Community Council office bearers.</b></p> <p><b>Community Council members would still have the opportunity to appoint new office bearers in accordance with Section 7(4) of the Constitution.</b></p> <p><b>Other Community Councils have requested that the</b></p>

	<p>Item 11.3 within the Scheme and 9(2) from the constitution. The existing rules require an attendance of more than half of the actual membership of the community council to constitute a quorum. If the proposed change is agreed and implemented, 4 members from a membership of 12 would constitute a quorum, with a simple majority vote, a mere 3 members could make a decision without consulting the full membership.</p>	<p><b>quorum for meetings be reduced as on occasion they are unable to make decisions at meetings.</b></p> <p><b>Other local authorities also have a quorum of a third of total membership.</b></p> <p><b>Two other Community Councils raised the same point (see below) and suggested that the wording be amended.</b></p> <p><b>I have amended the Scheme and Constitution to read “The quorum for Community Council meetings shall be one third of the current voting membership or four members, whichever is the greater”.</b></p>
<p>Old Aberdeen Community Council</p>	<p>Old Aberdeen CC believe that the re-definition of a quorum to one third of actual membership is unwise. The majority of CC are defined as a membership between 6 and 12 thus a quorum could be as little as 2 persons if the CC has only 6 members.</p> <p>Either the half of actual membership criteria is re-instated as a quorum or the minimum for a quorum is defined as one third of actual</p>	<p><b>I have amended the Scheme and Constitution to read “The quorum for Community Council meetings shall be one third of the current voting membership or four members, whichever is the greater”.</b></p>

	<p>membership of four persons whichever is the greater.</p> <p>One member of Froghall CC at a joint meeting advised that in other constitutions he was aware of they defined the quorum as one third or four persons.</p> <p>Suggested amended wording for the last sentence within the second last paragraph on first page of Code of Conduct (appendix 3 to the Scheme)</p> <p>While we are not opposed to the proposal to use STV, we do wonder about the cost effectiveness of the proposal</p>	<p><b>Amended sentence to read” Community Councils should encourage the general community to express their views whenever possible by making use of available mechanisms such as suggestion boxes, community surveys, opinion polls, websites and blogs etc.</b></p> <p><b>The Corporate Policy and Performance Committee on 1 December 2011 agreed that the election method would be by STV.</b></p>
Elections Unit, ACC	<p>Extended the times for polling to maximise the involvement of the local community in the democratic process</p> <p>First past the post would be more sensible for CC elections.</p>	<p><b>Council to approve</b></p> <p><b>The Corporate Policy and Performance Committee on 1 December 2011 agreed that the election method would be by STV.</b></p>





## **Stoneywood – Bucksburn and Newhills Community Council**

At present, the area known as Stoneywood is officially regarded as part of the Dyce and Stoneywood Community Council area.

We believe that it should preferably be regarded as part of the Bucksburn and Newhills Community Council (BNCC) area. Our reasons are as follows:

1. The Stoneywood area is more nearly contiguous with Bucksburn than with Dyce
2. Telephone numbers in the area begin 71, as do Bucksburn numbers, whereas Dyce numbers begin 72. Plainly Stoneywood was regarded as part of Bucksburn when these numbers were assigned.
3. Residents of the area to whom we have spoken think they are part of Bucksburn; one told me that her address included 'Bucksburn' and another that her children had to be registered at the (then) Bucksburn office. Stoneywood residents appreciate and distribute 'Bucksburn News', which frequently includes items about Stoneywood.
4. Stoneywood School includes Bucksburn within its catchment area. It is moreover an ASG for Bucksburn Academy. Almost all Stoneywood Primary pupils opt to go on to Bucksburn Academy. Stoneywood Primary is considered 'out of zone' by Dyce Academy.
5. Stoneywood Primary pupils are working with Bucksburn Academy and BNCC in Sclattie Wood - is a community based project where pupils and residents work together on enhancing the wood. Stoneywood and Bucksburn pupils work with residents on other sporting and educational projects.
6. Teachers at Bucksburn Academy go regularly to Stoneywood to teach primary classes.
7. Matters concerning housing developments and planning issues in Stoneywood are invariably referred to BNCC, and we have had many meetings with residents in this connection. Children from the Mugiemoor development – undoubtedly in Bucksburn – will very probably attend Stoneywood Primary School.
8. One of the local churches is known as 'Bucksburn and Stoneywood'. The manse, presently in Bucksburn, is about to move to Stoneywood although the church itself is in central Bucksburn. The original Stoneywood Church (now offices) is in the centre of old Bucksburn. There are many church activities linking the two communities.

9. Historically, there are many links between Bucksburn and Stoneywood, and there is an active local history group drawn from both areas.

### **Stoneywood - Submission by Dyce and Stoneywood Community Council**

We support maintaining the present boundary between the Dyce & Stoneywood Community Council (D&SCC) and Bucksburn & Newhills Community Council (B&NCC) for the following reasons:

- 1) The present boundary has been in place for a number of years and we believe that it has worked well.
- 2) We deal with concerns from Stoneywood residents from time to time and there has never been an issue of them being “remote” or cut-off from Dyce or stating that they would prefer to be in the B&NCC area.
- 3) We have maintained a close interest for several years in traffic issues and important developments at Stoneywood (especially the Stoneywood Estate project). These issues, of course, have the potential to affect all nearby communities, but there is no reason why B&NCC should handle them more effectively than we do.
- 4) Stoneywood residents can be seriously impacted by operations at Aberdeen Airport. We have excellent communications with airport management and we consider that we are best placed to represent the interests of Stoneywood on this key issue.
- 5) Many Dyce children attend Stoneywood Primary School and issues of transport and road safety along the A947 are key issues, which we are well placed to monitor.

Bill Harrison (Secretary)