

ABERDEEN CITY COUNCIL

COMMITTEE	Special Council
DATE	5 March 2018
REPORT TITLE	Review of Community Council Governance
REPORT NUMBER	CG/17/135
CHIEF OFFICER	Fraser Bell
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1. PURPOSE OF REPORT:-

To present the responses received during the public consultation and the Amended Scheme for the Establishment of Community Councils including boundary changes for various Community Councils.

2. RECOMMENDATION(S)

That the Council:

- 2.1 approve the revisions to the Scheme and associated documents as set out in Appendix 1;
- 2.2 approve the boundary and name changes for Community Councils as outlined in Appendix 2;
- 2.3 note the two proposals for the boundary change between Bucksburn and Newhills and Dyce and Stoneywood Community Councils as outlined in sections 3.5 to 3.8 of the report and in Appendix 2;
- 2.4 approve the proposed action to be taken in relation to Bucksburn and Newhills and Dyce and Stoneywood Community Council boundaries as outlined at section 3.9 of the report;
- 2.5 note the two proposals for the boundary change between the City Centre and Ferryhill and Ruthrieston Community Councils as outlined at section 3.10 of the report and in Appendix 2;
- 2.6 approve the proposed action to be taken in relation to the City Centre and Ferryhill and Ruthrieston Community Council boundaries as outlined at section 3.11 of the report;

- 2.7 note the position between Froghall, Powis and Sunnybank Community Council and George Street Community Council on the boundary proposal as outlined at section 3.12 of the report;
- 2.8 approve the issue of a public notice inviting members of the public to comment on the Amended Scheme and associated documents;
- 2.9 note the content of the consultation responses and resulting actions as outlined in Appendix 3; and
- 2.10 note that a report providing the outcome of the second phase of public consultation and requesting approval of the final Scheme and boundaries will be submitted to a Special Meeting of Council in July 2018.

3. BACKGROUND/MAIN ISSUES

Consultation Responses

- 3.1 Public Consultation on the Scheme, boundary proposals and associated documents commenced on 15 December 2017 and ended on 16 February 2018. During this time three sessions were organised in the Town House whereby, members of the public were invited to attend to see the boundary proposals in more detail and the proposed amendments to the Scheme for the Establishment of Community Councils. Attendees were given the opportunity to provide feedback on the proposals either via the website or on forms available at the events.
- 3.2 During the consultation 13 responses were received. Some of those related to Boundary changes and these have been outlined below. The others related to the content within the Scheme and associated documents.
- 3.3 The full list of consultation responses and the actions taken have been included in Appendix 3.

Boundary Proposals

- 3.5 During the consultation, Bucksburn and Newhills Community Council requested that the original boundary proposal be considered. At the time of the proposal being circulated to Community Councils, Dyce and Stoneywood Community Council did not accept the proposal.
- 3.6 Bucksburn and Newhills CC firmly believe that the new Exhibition Centre should be within their boundary. The old Rowett Institute was always considered to be part of Bucksburn although it sat within the boundary for Dyce and Stoneywood CC. It is also felt that residents within the surrounding area of Bucksburn would be more affected by traffic and disturbance from the development which could have little impact on residents within Dyce.
- 3.7 The proposal for the Bucksburn and Newhills CC boundary is to travel along Dyce Drive to the junction with Wellheads Drive and then follow the road along to Market Street and along to Stoneywood Road, then following

Stoneywood Road down to the original boundary. This would take in the full area that is traditionally known as Bankhead which forms part of Bucksburn as well as the Exhibition Centre.

- 3.8 The alternative proposal was to only include the area that forms part of Bankhead and to leave the Exhibition Centre within Dyce and Stoneywood CC.
- 3.9 It is proposed that during the second phase of public consultation, both options are presented and that an event be held in both Community Council areas to engage with the public to gain their views on the boundary proposals and to get a clearer view on which area of the city they believe they are part of. This would help to shape the boundary moving forward.
- 3.10 During the consultation an alternative proposal for the boundary between the City Centre and Ferryhill and Ruthrieston Community Councils was submitted. It has been suggested that the initial proposal was requesting a large area felt to be part of Ferryhill into the City Centre boundary. The alternative proposal was to travel down Holburn Street to the junction with Justice Mill Lane, continue onto Langstane Place, travel down Windmill Brae, onto Bridge Street, then continuing onto College Street to the junction with Wellington Place and then travel across the railway line onto Market Street. This would put Union Square, the bus station and train station into the City Centre CC boundary.
- 3.11 It is proposed that during the second phase of public consultation, both options are presented and that an event be held in both Community Council areas to engage with the public to gain their views on the boundary proposals and to get a clearer view on which area of the city they believe they are part of. This would help to shape the boundary moving forward.
- 3.12 During the consultation George Street Community Council requested that the boundary between them and Froghall, Powis and Sunnybank Community Council remained at the railway line and not split at the dual carriageway down Powis Place. The rationale for changing the boundary was to include Froghall Community Centre into the Froghall, Powis and Sunnybank boundary and to prevent one Community Council crossing the dual carriageway for an area of land to include everything down the left hand side of Powis Place. The recommendation would be to approve the original proposal.

Review of the Scheme for the Establishment of Community Councils

- 3.11 The Scheme and associated documents have been updated to provide a clearer structure to assist Community Councils in undertaking their duties.
- 3.12 The Local Government (Scotland) Act 1973 has provision for amending the Scheme and states that any proposals are required to be issued for public consultation. The Good Practice Guide issued by the Scottish Government indicates that two periods of 8 weeks consultation are required with a further 4 weeks period of notification.

Complaints Procedure

- 3.13 The purpose of the Complaints Procedure is to enable Community Councils to manage complaints in a fair and consistent manner. It is proposed that the Community Council Liaison Officer will monitor the nature of the complaints to identify any trends that could be addressed by training.
- 3.14 The Minister for Local Government and Housing wrote to all Local Authorities in January 2017 requesting that when they were reviewing their Scheme, that they consider implementing a robust complaints procedure.
- 3.15 The Complaints Procedure and Guidance for Community Councils is contained within the Scheme for the Establishment of Community Councils at Appendix 1. The document will be a standalone document once approved.

4. FINANCIAL IMPLICATIONS

- 4.1 The cost of advertising the amended Scheme in 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.
- 4.2 In 2014, The Electoral Registration and Administration Act 2013 was enacted which changed the process for registering to vote to Individual Electoral Registration, which has resulted in a reduction in the number of students registered to vote at an address in Aberdeen during the term of their studies. This has resulted in a significant reduction in funding for those Community Councils with a high student population. If the grant formula is not amended then some Community Councils will face a continued reduction in funding which would reduce the functionality of the work of the Community Council.
- 4.3 The formula for calculating Community Council grants has been amended to ensure the distribution of funds is fairer and based on the Head of Population rather than the Electoral figures. The projected figures for the 2018/19 grant allocation can be met from within the Community Council Grants budget therefore there would be no additional financial implications for the Council.

5. LEGAL IMPLICATIONS

- 5.1 The Local Government (Scotland) Act 1994 (section 22) outlines the process for amending the Local Authority Scheme for the Establishment of Community Councils. Local Authorities after considering any representations made at the initial consultation stage, may, after giving public notice of the amendments to the proposals and a further invitation to make representations, amend the Scheme to take account of those representations and adopt it.

6. MANAGEMENT OF RISK

Financial

6.1 Community Councils are required to undertake a variety of tasks including communicating with their communities. The annual grant that the Council provides enables them to fulfil their duties. If the grant formula is not amended then some Community Councils will face a continued reduction in funding which would reduce the functionality of the work of the Community Council resulting in local communities not being engaged or able to contribute effectively to local decision making.

Customer / citizen

6.2 The Council is required to consult members of the public on any major proposal that would affect the operation of Community Councils in Aberdeen. If the proposal is not advertised this may have a negative impact on the working relationship between the Council and the Community Councils which in turn would affect the citizens of Aberdeen. To actively seek the communities' comments on the proposal would be beneficial to the Council to enable their engagement and participation in the democratic process.

Legal

6.3 To ensure the Council complies with the provisions within the Local Government (Scotland) Act 1994 (section 22), the Council is required to consult with the public on amendments to the Scheme therefore failure to do so would be a risk to the Council. To mitigate against the risk, the amended Scheme and associated documents should be issued for public consultation.

6.4 There are no risks identified under the Environmental, Technological, Employees or Reputational categories.

7. IMPACT SECTION

7.1 Economy

There are no direct impacts on the economy.

7.2 People

7.2.1 This report takes into consideration aspects of the Local Outcome Improvement Plan specifically in relation to community engagement. The Council along with its partners is seeking ways to improve community engagement. Enabling public consultation on the proposals will provide local people to be involved in the democratic process and shape the way forward for Community Councils.

7.2.2 The Aberdeen City Community Council Forum established a Boundaries Project Group to look at various aspects of the boundaries, including the current boundaries and whether they were still relevant, looking ahead to major developments which may affect the natural boundaries and making proposals to improve them to fit with natural communities.

7.2.3 The Scheme and associated documents, including the boundary information has been circulated to all Community Councils and to all Elected Members to seek their views on the proposals. The majority of the responses received to

date have been positive and where appropriate the suggestions made have been included in the amended documentation before members.

7.3 Place

- 7.3.1 The amendments to the Community Council boundaries will help to embed a community structure and enable residents and visitors to engage with and feel part of an active community.

7.4 Technology

There are no direct impacts.

8. BACKGROUND PAPERS

1. 2012 Aberdeen City Council Scheme for the Establishment of Community Councils
2. Scheme for the Establishment of Community Councils including Complaints Procedures for other Local Authorities
3. Model Scheme for the Establishment of Community Councils – Scottish Government

9. APPENDICES (if applicable)

Appendix 1 – Amended Scheme for the Establishment of Community Councils
Appendix 2 – Amended Boundaries
Appendix 3 – Consultation Responses

10. REPORT AUTHOR DETAILS

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