

ABERDEEN CITY COUNCIL

COMMITTEE	Special Council
DATE	2 July 2018
REPORT TITLE	Review of Community Council Governance
REPORT NUMBER	GOV/18/022
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Karen Finch
TERMS OF REFERENCE	12

1. PURPOSE OF REPORT

To present the responses received during the second phase of public consultation and the final version of the Scheme for the Establishment of Community Councils including boundary changes for various Community Councils for formal adoption.

2. RECOMMENDATION(S)

That the Council:

- 2.1 adopt the Scheme and associated documents as set out in Appendices 1-6 to the report;
- 2.2 adopt the change to Community Council boundaries which had received agreement with neighbouring Community Councils as outlined in Appendix 7 to the report;
- 2.3 adopt proposal 1 for the boundary change between Bucksburn and Newhills and Dyce and Stoneywood Community Councils as outlined in section 3.6 of the report;
- 2.4 adopt proposal 1 for the boundary change between City Centre and Ferryhill and Ruthrieston Community Councils as outlined in section 3.7 of the report;
- 2.5 note the content of the consultation responses and resulting actions as outlined in Appendix 8 to the report;
- 2.6 approve the issue of a public notice notifying members of the public that the Scheme and associated documents have been adopted; and
- 2.7 note that the Scheme would come into effect just prior to the Community Council Triennial Elections due to be held in October 2018.

3. BACKGROUND

Review of the Scheme for the Establishment of Community Councils

- 3.1 The Scheme and associated documents have been updated to provide a clearer structure to assist Community Councils in undertaking their duties. The Scheme and associated documents are attached as appendices 1 to 5 to the report.
- 3.2 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 week period of notification.

Complaints Procedure

- 3.3 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.
- 3.4 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.
- 3.5 The Complaints Procedure and Guidance for Community Councils is attached at Appendix 6 to the report.

Boundary Proposals

- 3.5 Appendix 7 to the report outlines the changes to Community Council boundaries which had received agreement from neighbouring Community Councils and it is recommended that these are adopted.
- 3.6 In the report presented to Council on 5 March 2018, two proposals for the boundary between Bucksburn and Newhills and Dyce and Stoneywood Community Councils were presented. It was agreed that targeted consultation take place to seek the views of residents in both areas.
 - 3.6.1 Proposal 1 was to include adding an area of Dyce Drive to Wellheads Drive Junction, along the road until Market Street. Using Stoneywood Road as the new boundary back down to the original boundary.
 - 3.6.2 Proposal 2 was to add the area from midway along Greenburn Drive, following the weir to the west of Newhills Bowling Club, up behind the houses on the west side of Waterton Road, along Waterton Road to where it meets the railway line. Following the railway line to the point just east of Greenburn Drive and continuing onto Stoneywood Road and down to the junction with Bankhead Road.

- 3.6.3 Based on the results of the consultation, proposal 1 was the preferred option by the residents in both Bucksburn and in Dyce therefore it is recommended that proposal 1 is adopted.
- 3.7 In the report presented to Council on 5 March 2018, two proposals for the boundary between the City Centre and Ferryhill and Ruthrieston Community Councils were presented. It was agreed that targeted consultation take place to seek the views of residents in both areas.
- 3.7.1 Proposal 1 was to extend the boundary down Holburn Street to Willowbank Road, Springbank Terrace and across to Market Street. Taking in Union Square and Guild Street and up Marischal street to meet the existing boundary on Union Street.
- 3.7.2 Proposal 2 was to include from Union Street, go along Holburn Street to the junction with Justice Mill Lane, continue onto Langstane Place, down onto Windmill Brae, continue down Bridge Street onto College Street to the junction with Wellington Place, across the railway line to Market Street. This would take in the Union Square area and the other side of Union Street.
- 3.7.3 During the consultation only 3 responses were received, one from the City Centre Community Council and two from residents within the current Ferryhill and Ruthrieston Community Council boundary. Based on the responses it is recommended that proposal 1 is adopted.

Consultation Responses

- 3.8 The second phase of public consultation on the Scheme, boundary proposals and associated documents commenced on 16 March and ended on 11 May 2018. During this time four responses had been received via email.
- 3.9 Targeted public engagement sessions were held in Ferryhill, the City Centre, Bucksburn and Dyce to seek the views of residents on the boundary proposals for the Community Councils in those areas.
- 3.10 The full list of consultation responses and the proposed actions have been included in Appendix 8.

4. FINANCIAL IMPLICATIONS

- 4.1 The cost of notifying the public of the adoption of the 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 could 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

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	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 could 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.	L	To ensure Community Councils can continue to function and contribute effectively to decision making, the funding formula should be amended.

Legal	To ensure the Council complies with the provisions within the Local Government (Scotland) Act 1994 (section 22), the Council is required to notify the public on the adoption of the Scheme therefore failure to do so would be a risk to the Council.	L	That a notice is issued notifying the public that the Scheme and associated documents have been formally adopted.
Employee	None		
Customer	The Council is required to notify members of the public on any major proposal that would affect the operation of Community Councils in Aberdeen. If the formal adoption process 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.	L	To actively promote the adoption of the Scheme would be beneficial to the Council to enable the engagement and participation in the democratic process with members of the public.
Environment	None		
Technology	None		
Reputational	None		

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	None
Prosperous People	The Council, along with its partners, is seeking ways to improve community engagement. Enabling public involvement will allow local people to be involved in the democratic process and shape the way forward for Community Councils.

Prosperous Place	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.
Enabling Technology	None

This report does not impact on the design principles of the Target Operating Model.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	n/a
Organisational Design	n/a
Governance	<p>The revision of the Scheme is a statutory process which is undertaken to ensure the provisions meets the needs of the Community Councils and the Council.</p> <p>The revised Scheme has improved the governance arrangements in place for Community Councils enabling them to operate within a clearly defined structure and allowing them to continue to operate efficiently within their communities.</p>
Workforce	n/a
Process Design	n/a
Technology	n/a
Partnerships and Alliances	The revised Scheme will enable Community Councils to build and improve working relationships with the Council and their communities.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Completed
Privacy Impact Assessment	Not required
<u>Children's Rights Impact Assessment/Duty of Due Regard</u>	Not applicable

9. 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

10. APPENDICES

- Appendix 1 – Scheme for the Establishment of Community Councils
- Appendix 2 – Names and Area Descriptions
- Appendix 3 – Constitution
- Appendix 4 – Standing Orders
- Appendix 5 – Code of Conduct
- Appendix 6 – Complaints Procedure
- Appendix 7 – Amended Boundaries
- Appendix 8 – Consultation Responses
- Appendix 9 – Community Council Population Figures based on Data Zones

11. REPORT AUTHOR CONTACT DETAILS

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