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1. Executive Summary

Introduction

This research was commissioned to inform the deliberations of the Commission on Local Government and the Scottish Parliament and relates to the second element of their remit; ‘how councils can best make themselves responsive and democratically accountable to the communities they serve’.

The system of community councils which exists in Scotland was introduced at the 1973 reorganisation of local government. The environment in which community councils operate has changed quite considerably since then and recent years have seen increased interest in community consultation in general. Thus in considering the responsiveness of local authorities, it is particularly pertinent to reflect on the role and effectiveness of community councils.

The research involved:

- interviews with relevant organisations;
- a postal survey of local authorities;
- case studies of six local authorities encompassing three or four community councils within each (a total of 23).

The six case study councils covered a range of rural, urban and intermediate councils and a range of approaches to community consultation.

An overview

Community councils are set up through a combination of local authority and voluntary effort. Their statutory base provides wide scope for variety in their roles, composition and resources.

There are 1,169 community councils in Scotland. This is 238 less than the 1,407 provided for in authorities' schemes for community councils. The number in existence has remained stable over a period exceeding 10 years but there has been some lapsing, some reformation and some divisions of one community councils into two. Over 83 per cent of the population lives in areas with community councils, 87 per cent in rural areas and 81 per cent in urban areas.

Gaps in coverage occur more often in areas where community councils have never existed than in areas where they have once existed but subsequently lapsed. The exact number of community councillors is not known, but exceeds 16,000. A large minority of community councils have unfilled places.

Community councils in urban areas serve populations over three times that in rural areas. Community councils are often seen as more successful, active or effective in rural areas.

Local authorities spent around £1 million on community councils in financial year 1997-98. Commonly, an administration grant is supplemented by the opportunity to apply for funds for specific projects. The average **administration** grant is £538 and over half the local authorities provide between £247 and £417 on average. The average **total** amount of grant per community council is £925. Local authorities provide a range of other resources for community councils. Nine out of ten local authorities provide training, eight out of ten provide free use of council premises for meetings and four out of ten provide free use of office services. Ten authorities in total provide the services of dedicated staff.

Community council elections are infrequent and turnouts are very low. Higher turnouts have been achieved mainly through the use of postal ballots. Direct elections are supplemented in a significant minority of areas with representation by organisations with a presence in the area. This form of representation is achieved by co-option or simply attendance at meetings. Two local authorities have extended the franchise for community council elections to young people under 18.

Roles

The meaning of the statutory role of community councils causes some confusion and difficulty to local authorities and community councils. The possible breadth of their role seems to be at odds with the informality of their legal status. While they have some of the characteristics of the voluntary sector, they feel excluded from benefits available to voluntary organisations.

Community councils engage in a wide range of activities: their own and other meetings, commenting on public policy, publicity and promotion, dealing with enquiries and surveys of opinion.

Six roles can be detected in the activities and work of community councils:

- organising social events;
- providing services;
- liaising with community and voluntary organisations in their area;
- identifying and taking action on issues of concern;
- providing a sounding board in the framing of public policy;
- providing a sounding board in relation to specific public services.

They generally perceive that their most important relationship is with the local authority. Over seven in ten authorities (72%) report they have a code of practice for the conduct of relations with community councils and a greater number (87%) have a designated liaison officer. Local authorities routinely send a variety of information to community councils.

Over four in five local authorities (83%) involve community councils in structures such as working parties, area forums and regeneration partnerships. The majority of local authorities see community councils as, in principle, having no different a role in community consultation than voluntary and community groups. However, in practice, many find community councils a convenient means of securing community involvement. A small number of authorities, perhaps four or five, give community councils a distinctive role in their decentralisation schemes or community consultation policy.

Effectiveness

Effectiveness is broadly defined in this study with reference to:

- representativeness;
- awareness of and ability to transmit the views of the population to local authorities and other public bodies;
- the willingness of local authorities and other public bodies to listen to community councils.

Qualitative evidence suggests that community councillors appear to be more representative than other elected bodies in respect of gender but less representative in respect of age profile. They are about as representative in respect of ethnic and occupational background. They are distinctive in the number of community councillors who are also members of other community and voluntary groups.

Community councils vary in their approach to representing the views of their population. Some local authorities have recently taken steps to clarify what they expect from community councils in relation to this role. With some exceptions, community councils feel they are listened to by local authorities and other public bodies. Most also report improvements to their area as a result of influencing public policy or service delivery.

Conclusions

Community councils can perform many different roles, some of direct relevance to community consultation. This creates uncertainties as well as opportunities. The differences between community councils in the roles they perform are partly, but not entirely, accounted for in the different patterns of funding, liaison and status accorded them by local authorities.

The legitimacy and accountability of community councils is perceived by many local government officers and councillors as diminished by a poor electoral mandate. The absence of explicit political party involvement is very highly valued.

Co-ordinating local opinion is difficult and little guidance is available. Community councils may be expected to provide one definitive view or to express the range of opinions. Some local authorities now expect community councils to establish both a stronger electoral mandate and a more consultative approach.

Several factors contribute to the effectiveness of community councils in representing and promoting their communities and in contributing to public consultation. Although no definitive prescription for effectiveness can be provided, the funding, attitudes and policies of local authorities may be implicated.

In contemporary moves towards democratic renewal in local government, community councils are seen as having no special status or role by most local authorities. However, in practice, a distinctive role may be granted because local authorities find it convenient to involve community councils.

In summary, community councils are a unique feature of public and civic life in Scotland. They defy attempts at generalisation other than the truism that their role and effectiveness as community consultees varies throughout Scotland.

2. Introduction

Background

This research was commissioned to inform the deliberations of the Commission on Local Government and the Scottish Parliament and relates to the second element of their remit; 'how councils can best make themselves responsive and democratically accountable to the communities they serve.'

Community councils are a unique feature of public and civic life in Scotland. They were created as a result of fears about the possible remoteness of local government expressed in the last but one reorganisation in the early 1970s. This abolished small burghs and landward districts, reducing the number of local authorities by over 350 and produced a system with large regional councils at one end of the size spectrum. Provision for community councils followed the recommendations of the Royal Commission on Local Government in Scotland (the Wheatley Commission) that they should have an official standing but should not be a third tier of local government. They have no powers to provide services or levy taxes, but have some rights in relation to liquor licensing and planning applications (see Chapter 3). Community councils were not intended to replace the activities of the thousands of local voluntary organisations in Scotland, many of which strive to develop relationships with local authorities and other public bodies. However, community councils are expected to co-ordinate public opinion within their area and this might be interpreted to include collating the views of such groups at local level.

Increasingly, in the period since the mid-1970s, governments have looked for reassurance that local authorities are providing opportunities for consultation or involvement for their local communities and the variety of stakeholders and interest groups who may have a contribution to make to local policy-making. If local authorities are to play a lead role in community governance and 'community planning' (The Scottish Office and COSLA, 1998) then they need to be able to demonstrate that they are responsive and democratically accountable. Recent guidance (COSLA 1998; DETR 1998) has emphasised the range and number of methods of public consultation available.

Since 1975, one possible way of achieving responsiveness and accountability has been through community councils but equally many other mechanisms for community consultation are promoted. The place that community councils play in this is, therefore, a key issue.

Significant change has taken place since the mid-1970s which, even without the addition of a Scottish Parliament, would justify a close look at the role and effectiveness of community councils.

- There has been an increased commitment in public policy to consultation and involvement in service planning and delivery, most recently in relation to 'Best Value'.
- Since the mid-1990s interest in extending local democracy has taken new forms under the umbrella term 'democratic renewal'. Innovations include citizens' juries, area forums and citizens' panels.
- The voluntary sector has grown in size and importance, partly in response to the opportunities offered by public funding to represent and serve their client groups or constituencies. As a consequence, new relationships have developed between voluntary and public bodies, based on common purposes, grant funding, contracts or service level agreements.
- Many formal and informal partnerships have been formed by public, voluntary and other organisations working together to plan and deliver services and to secure appropriate development and area regeneration in urban and rural areas.

In addition, the reorganisation of local government in 1995/96 may have appeared to create a greater distance between citizens and local government, as the total number of authorities was reduced to 32 from 65. In response to this concern, all authorities were required by the terms of the Local Government (Scotland) Act 1994 to prepare schemes for decentralisation.

Research Aims

Community councils are intended to provide a means of contact between localities and local and public bodies. Yet despite their 25 year history, little is known about them. This report is intended to provide information about the role and effectiveness of community councils with regard to community consultation. It provides an overview of the operation of community councils throughout Scotland in the late 1990s and of their role and effectiveness in community consultation. It was commissioned to provide an input to the deliberations of the Commission on Local Government and the Scottish Parliament and is intended to contribute to debates about how community councils and other community and voluntary groups can be engaged in local government and in local civic affairs after the establishment of the Scottish Parliament.

The research on which this report is based aimed to:

- evaluate the extent to which community councils are performing a useful role and effectively representing and promoting their communities;
- identify factors which contribute to, and detract from, the role and effectiveness of community councils with regard to community consultation; and
- assess how community councils fit into the wider pattern of community representation.

This required the study to:

- establish the extent of community council organisation including their distribution throughout Scotland and within local authority areas; and
- identify common features of areas not represented by community councils.

In addition, and more specifically, the study aimed to provide information on:

- the electoral or other arrangements for selecting community councillors;
- the broad socio-economic background of community councillors;
- the activities undertaken and issues raised by community councils;
- the funding and other resources, facilities and training available to them;
- the relationships between community councils and local and public authorities and between community councils and other voluntary and community groups;

- the perceptions of local authorities, community councils and community groups about the best ways to secure effective functioning of community councils.

Previous research

Community councils have been the subject of some research but few studies have attempted to provide a systematic picture of their role throughout Scotland. The last major investigation carried out by the Scottish Office took place from 1982 to 1984. The report (Hart, 1986) provides a useful means of comparison for some of the results of this study. Two studies commissioned in 1976 by the Scottish Development Department from Dundee University (Masterson et al., 1978; Masterson, 1980) and Paisley College of Technology (Cosgrove and Sheldon, 1980) are neither recent enough nor comprehensive enough for such comparison. Illsey (1997) looked at community councils as statutory consultees in the planning process in a study of public access to planning information for the Scottish Office and another study specifically on community councils as statutory consultees in the planning process is currently underway.

Individual local authorities have carried out or commissioned studies of community councils in their own areas and some of these have been made available to this study. The Association of Scottish Community Councils carried out a survey of community councils in 1994/95 (Elrick, 1996) and another is underway, providing some potentially useful insights. Some of the support agencies interviewed for this project have examined aspects of the work of community councils or have investigated local authorities' attitudes to community councils. The results of several of these recent investigations have been reviewed but none provides a comprehensive or systematic picture of the role and effectiveness of community councils as community consultees.

Research methods

The study used a combination of quantitative and qualitative methods.

1. Interviews with support organisations

At an early stage in the project, interviews to identify issues, possible case study areas and insights from their experience were conducted with representatives of:

- the Association of Scottish Community Councils
- the Convention of Scottish Local Authorities
- the Scottish Community Development Centre
- the Scottish Council for Community Education
- the Scottish Council for Voluntary Organisations
- the Scottish Office.

2. Postal survey of local authorities

A postal survey of all 32 local authorities was carried out in January and February 1999 to provide information on community councils and community consultation. The questionnaire is attached as Annex 1 for information. Local authorities were asked to supply copies of their schemes for community councils and for decentralisation, and any general policy statements on community consultation. Information was collected on elections, numbers of community councils and community councillors, vacancies and lapsed community councils, financial and other resources and other support provided and liaison and consultation arrangements. All but one council replied (a response rate of 97%). However, one authority could complete very little of the questionnaire and sent some documentation and a narrative account of community councils in the area (which is made up of parts of several predecessor districts).

Some parts of the survey were analysed according to the extent to which authorities are 'urban' or 'rural'. This required authorities to be categorised and this was done using a ranking based on the sparsity of population, to achieve three groups of roughly similar number, ten 'rural', 11 'intermediate' and 11 'urban' (Gilder, 1998). The categorisation of all 32 authorities is shown in Annex 2. Inevitably, urban parts of 'rural' authorities and rural parts of some 'urban' authorities may blur some of the inferences to be drawn from this analysis.

3. Case studies

Case studies were undertaken to secure the depth of information on the issues central to this research. Six case study authorities were selected to cover a range of rural, urban and intermediate councils and a range of approaches to community consultation. Within each of these authorities, four community councils were selected to span a range of characteristics of the locality. Of these, contact was made with all but one, a sample of 23 community councils.

All six councils and 23 community councils agreed to provide access for interviews and observation. In most of the 23 areas, a meeting of the community council was observed and, in all, interviews were conducted with at least one office bearer and usually two. Where a forum of community councils exists it was contacted and group or individual interviews conducted. In addition, in most areas, contact was made with voluntary organisations operating in the same area. Within the six local authorities, semi-structured interviews were conducted with at least two officers and at least two councillors of the local authority. Follow-up interviews and telephone calls were used to collect information and views from other officers and elected members. Officer and councillor interviewees include at least one of each with a key role in liaison arrangements with community councils. Documentation collected included community councils minutes, copies of newsletters, council papers relating to community councils and community consultation and copies of community council agenda and correspondence.

None of the local authorities or community councils is named in this report since the research was not intended to describe particular community councils or local authorities but rather to provide a range of experiences in different types of areas and conditions to inform the issues of interest in this research.

Six case study authorities

Authority A covers a large, mixed urban and rural area with provision for around 100 community councils, of which over 80 exist. The largest gaps in coverage are in some urban areas. Different traditions of support for community councils under the predecessor local authorities is being addressed. The main point of contact is between area-based officers and community councils, which are seen as only one mechanism for local authority responsiveness and accountability. Community councils are represented on the council committee that deals with community consultation and on local working parties and forums. There is no authority-wide forum of community councils.

Four case study community councils include one covering a small town and another which covers four villages with a ward system so ensuring participation from each village. Both were established in 1975. The third community council was established in 1995, to represent a large private-sector housing estate. The fourth covers a former industrial village with a very high level of unemployment. It was created in 1998 by division, to separate the village from a neighbouring village of very different socio-economic character.

Authority B covers a large urban authority with provision for over 100 community councils, of which 80 exist. A strong tradition of support for community councils was seen by many community councils as damaged by the cuts in the council's budget in recent years. Community councils are represented on a sub-committee which oversees policy for community councils, on the council's area committees and on regeneration partnerships. A forum of community councils has existed for some years.

Three of the case study community councils were established in the mid-1970s, one in a mixed tenure neighbourhood with a significant minority ethnic population. The second operates in a mainly owner-occupied neighbourhood and operated in tandem for a few years with a residents' association which then was allowed to lapse. Environmental issues, including the impact of major roads skirting the area, dominate the agenda. The third community council operates in an area of high unemployment now undergoing significant redevelopment. Crime, vandalism and neighbour disputes are currently preoccupying the community council. The fourth community council is newly established

in a neighbourhood on the periphery of the local authority's area where the previous community council was allowed to lapse because an umbrella group for voluntary and community groups - now itself lapsed - appeared to be carrying out the functions of a community council.

Authority C is a diverse area covering remote rural communities, suburban areas and a variety of urban centres. All but one of the three dozen or so community councils provided for in the council's scheme are operating, all with very high levels of membership taken up. The council has recently promoted the idea that enhanced local democracy is essential for effective local government. Community councils are seen as the 'first point of contact' within the geographical communities of the area. The council recognises that communities of interest such as client or issue-based groups also exist. A code of practice setting down the rights and responsibilities of local authority and community councils was signed one year ago.

Case study community councils include two established in 1976 and the mid-1980s to represent a small town and a rural area with three settlements respectively. Tourism is a major source of employment. Environmental issues and the impact of proposed new housing developments dominate the agenda in both. The third, established early in the 1980s, represents a village where the decline of local heavy industry has created high unemployment. The fourth has represented a neighbourhood with mixed socio-economic character in the largest town since 1977.

Authority D is predominately a rural area with some small urban centres. There is provision for around 100 community councils, of which almost nine in ten are established. Most gaps in coverage are in the urban centres. The council has a designated community council liaison officer, who is involved in developing the effectiveness of community councils through providing information, highlighting contacts, delivering training, maintaining a database and organising a 'Special Friends' scheme that provides council staff volunteers as advisers to individual community councils. There are designated liaison officers in the Planning Department. Community councils are not represented on council committees or area committees. There are four area associations of community councils which generally work well.

Case study community councils include one, established in 1995 in an urban area from the division of a larger community council, to represent a new area of private housing. The remaining three have all existed since 1975. They represent one, two and three rural settlements respectively. The first of these had 29 nominations for 15 places at the last election, while the third is in danger of lapsing because retiring members are not being replaced.

Authority E covers a diverse area ranging from old industrial settlements to rural areas dominated by tourism and dormitory settlements. Just under 20 community councils are provided for in the council's scheme, of which three-quarters are operational. In the areas not currently represented, the community councils once existed but have been disbanded. Overall, the stance of elected members tends to be critical of the community councils: 'given the decentralisation practices adopted by the council ... there is now no real need for community councils' (Council Policy Statement). Community councils are, however, able to observe meetings of recently established area committees on an equal footing with other voluntary organisations. In a minority of cases, representatives of local groups, including community councils, are allowed to speak.

Case study community councils include two based on former small burghs. One of these has significant commuting and retired populations and the other has a dominantly working class population. The first has had to hold elections on more than one occasion when the number of nominees exceeded the number of places. The third community council covers the area's largest town and is sub-divided into wards to spread representation.

Authority F serves a population concentrated in four sizeable towns and a large number of small towns and villages, some in rural locations and many with a history of extractive industry. Over 40 community councils are provided for in the scheme, of which three-quarters currently exist. There are plans to promote the establishment of the remainder in the near future. The local authority is active in promoting the democratic renewal agenda, undertaking many new methods of public consultation, including the creation of specialist forums. Community councils remain important to the local authority as part of the democratisation process despite concerns within the local authority about their

representativeness. The local authority has recently decided to increase the rates of administration grants to community councils. There is a district-wide forum of community councils which the local authority has sought to involve in authority-wide consultation processes.

Case study community councils vary in dates of establishment from 1970s to 1990s. The largest in population terms, with a dozen members, serves a medium-sized town. The community council's main concerns are with traffic calming, the closure of a local educational establishment, the impact of town expansion and the erosion of the green belt. A second community council covers a recently-developed private housing estate which is still undergoing rapid expansion. The locality lacks facilities and amenities and suffers higher than average rates of turnover among its middle class occupants. The main issues are the lack of facilities for social interaction in the neighbourhood, and the high density and alleged low quality of the newest housing developments. The third community council has half a dozen members serving a small ex-mining village, a very close knit community with multiple links of kith and kin, and overlapping organisational memberships, both of which help keep the community councillors in touch with local opinion. The fourth community council is only a year old and serves a small community on the edge of a town. So far, the community council has relied heavily on the advice of the local councillor. The main challenges facing the community council concern the development of a separate identity for the community and the impact of extraction industry expansion.

This report

Drawing on quantitative and qualitative evidence, this report considers the role and effectiveness of community councils as community consultees in the following four chapters. Chapter 3 provides an overview of community councils: their legal status, the extent of formation and other differences in different parts of Scotland, the funding and other resources available to them and the nature and extent of elections. Chapter 4 considers the role of community councils by examining their statutory role, their activities and their place in the community consultation policies and practices of local authorities. Chapter 5 examines effectiveness with reference to the composition of

community councils, their work in representing local views and the response they receive from local authorities and other public bodies. Chapter 6 draws together the conclusions of the report about role and effectiveness, about community councils part in wider patterns of community representation and about the factors that contribute and detract from their effectiveness with regard to community consultation.

3. Community councils: an overview

Introduction

This chapter provides an introduction to discussions of the role and effectiveness of community councils in subsequent chapters. It outlines the statutory framework for community councils, then goes on to report findings about the number and formation of community councils, geographical differences, funding and resources and composition and elections.

Legal and administrative framework

Community councils are set up through a combination of local authority and voluntary effort. The Local Government (Scotland) Act 1973, Sections 51-55 required local authorities to prepare schemes for the establishment of community councils in their area. Authorities were required to give public notice of their intentions to establish a scheme and to invite the public to make suggestions as to the areas and composition of the community councils.

The 1973 Act laid down that schemes had to specify areas to be served by community councils (delineated in a map), election arrangements and provisions for contact between community councils and the newly established councils and other public authorities. Schemes for community councils required the consent of the Secretary of State for Scotland. Once approved, 20 electors within the area of a community council could trigger an election (or whatever other procedure may be required to form the community council). Under the 1973 Act, regional as well as islands and district councils could assist community councils meet their administrative expenses with finance and other resources. The Local Government and Planning (Scotland) Act 1982, however, removed this power from regional councils. There seemed no doubt, though, that regional councils were still free to provide finance or help in kind with the work of community councils (Hart, 1986).

The Local Government etc (Scotland) Act 1994, Section 22(1) stated that, after the most recent local authority reorganisation, existing schemes would continue to have effect. However, the Act enables the new local authorities to revoke an existing scheme and to make a new scheme. Where local authorities propose to make a new scheme, they are required to give public notice of their intentions and to invite the public to make suggestions as to the areas and composition of the community councils. Local authorities must arrange for the formation of a community council on receipt of a petition from 20 electors in the area concerned.

Draft schemes for community councils must specify boundaries, populations, provisions relating to elections or other voting arrangements, composition, meetings, financing and accounts of community councils and provisions concerning the procedures to be adopted by which the community councils and local and public authorities will keep each other informed on matters of mutual interest. After a period of public consultation the schemes, and any publicly notified amendments, are adopted. There is no requirement to submit new schemes to the Secretary of State for Scotland. Schemes provide useful information about community council organisation across Scotland. Chapter 4 provides an account of liaison arrangements.

Community councils have the statutory role defined in Section 51 of the Local Government (Scotland) Act 1973:

'to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which these authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable'.

In addition, community councils have some powers in relation to consultation over liquor licensing and planning applications. In 1976 the Licensing (Scotland) Act gave community councils the right to object to the granting, renewal or transfer of liquor licences. Guidance in The Scottish Office Home Department Circular HD 4/1996 emphasises the desirability of consulting community councils in respect of such

applications. In 1996, community councils were given a specific role as consultees in relation to applications for planning permission. Local planning authorities must consult community councils on planning applications affecting their areas. A statutory instrument, the General Development Procedure (Scotland) Amendment Order 1996, Article 19(9) requires that community councils be sent a weekly list of all planning applications. PAN 47 focuses on the new statutory rights given to community councils, suggesting that community councils must have ready access to planning information. The Scottish Office has encouraged councils to 'involve' community councils in 'local planning and licensing matters' (The Scottish Office, 1997).

Overall these provisions maximise the scope for variety in the roles, composition and resources of community councils and even leave open whether they will exist in particular places. However, local authorities clearly have the capacity to create conditions which are favourable or unfavourable towards community councils in their area. For that reason it may be more appropriate to compare community councils within the area of one authority than between areas.

Numbers and coverage of community councils

Community councils are provided for in local authority schemes for community councils covering virtually all of Scotland. Only one rural local authority reported that a small area with a population under 300 was not provided for. In practice, though, community councils may not exist despite being provided for in a scheme. They may never have been set up or they may once have existed and have fallen into abeyance.

Table 3.1 shows the numbers of community councils provided for in schemes and the numbers in existence. There are in total 1,152 community councils in Scotland, over eight in ten (83%) of the number (1,390) provided for in schemes and covering 83 per cent of the population. The table accounts for all but one local authority area of Scotland, a small rural authority, where a telephone call established that there are 17 community councils, providing complete coverage of the area. These findings are almost identical to those of Hart who reported that 83 per cent (1,131 out of 1,365) of community councils had been formed covering 80 per cent of the population (1986:10).

The number of community councils has remained stable since the most recent survey which found 1,119 in existence (Duncan and MacLeod, 1994). This stability masks some lapsing and reformation revealed in the six case study authorities, and evidence from the survey that several local authorities have actively promoted the formation of community councils since 1996 while one or two others have seen a net drop in numbers in a similar period. Another phenomenon observed in case studies is the emergence of new community councils through the division of areas considered too diverse to be encompassed within one community council or to replace or complement voluntary organisations.

The table shows a higher formation level of community councils in rural areas, with 93 per cent coverage, whereas in urban areas, seven in ten (69%) of the community councils provided for actually exist. Expressed in population terms, this difference narrows, with 87 per cent of the rural population and 81 per cent of the urban population covered. This finding is different to that of Hart who found no strong evidence that community councils were more prevalent in rural than in urban districts, but this was based on a different classification of the predecessor local authorities (1986:9).

Table 3.1 Numbers of community councils

Number of Community Councils	Type of Local Authority Area			Total
	Rural	Intermediate	Urban	
Number provided for	564	422	404	1390
Number	522	360	270	1152
Number as percentage of number provided for	93	85	69	83
Percentage of population covered (n=)	87 (9)	84 (11)	81 (11)	83 (31)

(missing cases = 0)

Source: Postal survey of local authorities

Most local authorities could distinguish between areas where community councils have lapsed and areas where they have never been formed. In general, gaps occur more often in areas where community councils have never existed. Overall there are just over twice as many people (449,141) living in areas where a community council was never set up than in areas where a community council has lapsed (208,658). An explanation for the

gaps seem to lie at least partly in the low levels of support and enthusiasm shown by a few predecessor local authorities.

Two urban authorities account for over three-quarters (78%) of the population not covered because community councils were never set up. The predecessor authorities in these areas were slow to establish schemes for community councils after 1975. Other local factors include evidence of local voluntary organisations such as tenants' associations and community centre management committees choosing not to evolve into community councils. Five rural authorities report that gaps are found predominantly in the towns in their area. In four cases, officers report that there are community groups fulfilling the role which otherwise community councils might play. However, this was not substantiated in a case study in one of these authorities. Other factors suggested include the lack of a feeling of community identity particularly in urban areas, but it was not possible to substantiate this.

The exact number of community councillors is hard to obtain. The case studies cast some doubt on the quality of record-keeping in some local authorities and overall some found it impossible to supply information. The evidence, though, points to significantly fewer community councillors than the numbers provided for in the schemes. Schemes for community councils in 28 areas contain provision for 16,370 community councillors. Inadequate records prevent four of these authorities from saying how many community councils have a full complement of members. Table 3.2 shows the extent to which places are filled for the 24 authorities with data. Overall 65 per cent of places are filled, with a much higher proportion in rural (78%) and intermediate (73%) areas than in urban areas (55%). Only one council reports full membership of all its community councils. Overall, 21 local authorities report that 420 out of 801 community councils (52%) have full membership. The case studies suggest that unfilled places can be found in community councils in a wide variety of areas with some concentration in some deprived urban neighbourhoods. Part of the problem of unfilled places may arise from differences of view about how many members a community council should have. In some authorities 12 or 15 is considered sufficient. In others the local authority thinks that 20 or more are required in areas of similar population size.

Table 3.2 Numbers of community councillors

Number of Community Councillors	Type of Local Authority Area			Total
	Rural	Intermediate	Urban	
Number provided for	2,494	4,111	6,029	12,634
Number	1,945	3,008	3,303	8256
Number as percentage of number provided for	78	73	55	65
(n=)	(5)	(9)	(10)	(24)

(missing cases = 7)

Source: Postal survey

Geographical differences

Some differences between community councils in different types of area have already been observed. A fuller picture of differences is provided when the population served by community councils is considered. Table 3.3 shows that, on average, community councils in urban areas serve populations over three times that in rural areas. Representation per community councillor shows the same tendency, to a reduced extent. Individual members of community councils in rural areas represent, on average, just over half (53%) the population served by community councillors in urban areas. This measure has greater theoretical than practical value since most community councils do not operate a ward system.

Table 3.3 Populations served by community councils

Average Population Served by	Type of Local Authority Area			Total
	Rural	Intermediate	Urban	
Community council	1,884	3,853	5,878	3,615
Community councillor	170	315	318	274
(n=)	(8)	(9)	(11)	(28)

(missing cases = 3)

Source: Postal survey

Qualitative findings support the view that there can be significant differences between community councils in rural and urban areas. Community councils are often seen as 'more successful', 'more active' or 'more effective' in rural areas. As one interviewee put it, possibly more strongly than others, 'in rural areas they (community councils) have a status and significance' that is acknowledged, for example, by councils for voluntary service and by local authorities. Such community councils 'have to be involved, consulted or partnered. People on community councils are well-networked. Organisations such as the local authority and the council for voluntary organisations are more likely to say "you can't ignore the community councils" than in large towns and cities.'

There are some differences of view about the nature and cause of these urban-rural differences. Alongside a view that rural community councils would be missed more than urban ones if they no longer existed, some interviewees suggest that they are less representative than urban community councils which are more likely to operate in homogeneous neighbourhoods. In rural areas, the allegation is made that community councils are more likely to be dominated by professional people. The case studies show, however, that in rural areas and small towns, community councils seemed to be of mixed socio-economic character, probably with some bias to the middle class. In urban settings, community councils bear a close resemblance to the socio-economic character of their neighbourhood. Of all the case study community councils, the one most dominated in numerical terms by 'professional' people was found in a middle class urban neighbourhood and was clearly representative in these terms.

A variety of views were expressed about why community councils in rural areas are accorded higher status. Some respondents point to their smaller populations and lower community council:population ratio. Some reference is made to the strength of community identity and to the clarity of 'community' boundaries in rural areas and the stronger perceptions of rural local authorities of the value of consulting remote areas. Some local authority respondents view voluntary organisations in urban areas as more likely than community councils to reflect the views and needs of marginalised or excluded groups and, therefore, more deserving of consultative status.

Funding and resources

Unlike parish and town councils in England, which are explicitly part of the local government system, community councils have no powers to raise funds. Local authorities are required to state the arrangements they intend to make for funding in their schemes for community councils (Local Government (Scotland) Act 1994, Section 22) and in practice most community councils seem to rely on local authorities as the main source of funds. Few want to devote effort to other fund-raising, believing that they have enough to do and that due to their statutory role they should receive sufficient funding to allow them to do the job they were established to perform.

Local authorities spent around £1 million on community councils in financial year 1997/98. Table 3.4 shows the total amount of grants in different types of area. The average amount of grant per community council for Scotland as a whole is £925 (in 1997/98), with local authorities in rural areas providing greater sums than those in other areas. The difference is even greater when grants are considered with population. In urban areas grants are equivalent to nine pence per head, on average, whereas in intermediate areas they are 21 pence, and 48 pence in rural areas. Hart reported that average rates of assistance in the mid-1980s was 16 pence (1986:15) (compared with 21 pence now).

Table 3.4 Financial support to community councils by local authorities, 1997/98

Amount Spent on Grants to Community Councils	Local Authorities			Total £
	Rural £	Intermediate £	Urban £	
In total	450,913	289,730	221,426	962,069
- per community council	976	941	820	925
- per head of population (n=)	0.48 (8)	0.21 (10)	0.09 (11)	0.21 (29)

(missing cases = 2)

Source: Postal survey

The most common method of funding is an annual grant to provide for administrative costs calculated on the basis of population (provided by 70% of local authorities) or varied in some other way (33%), such as number of community councillors, and an additional opportunity to apply for funds for specific projects (provided by 60% of local authorities). Two local authorities say they provide the same annual grant to all community councils. The average administration grant is £538, ranging from one authority which provides as little as £145 on average, to two authorities that provide £991 and £2679 respectively, on average. In the latter case, a rural authority, sufficient grant funding is provided to enable community councils to carry out functions such as maintaining local burial grounds, giving grants to local voluntary organisations and assisting with maintenance of private access roads which might otherwise be carried out by the local authority centrally. This is made possible partly with the assistance of a clerk to each community council, paid by the council in addition to the financial support provided.

Over half the local authorities provide an administration grant of between £247 and £417 on average. For example, case study authority D provides a lump sum calculated according to population bands (£200 for an area of up to 1,000 population, up to £400 for an area of over 5,000 population) and, in addition, a sum of 5 pence is provided for every head of estimated population. The case study community councils in authority D received sums varying from £271 for an area of 425 population to £776 for an area of 7525 population in 1997-98. Community councils indicated that they felt under-funded, but a few councils report some under-spending of money made available. One local authority seeks to avoid under-spending by encouraging community councils to apply to the council's Challenge Fund to enable them to purchase items such as a computer.

Several local authorities refer to the establishment of a 'challenge fund' in the last year or two but this appears to be no different in principle from the long-established pattern of grants for specific projects provided by other councils. Some case study community councils resent having to 'go cap in hand', as they see it, to the council for funds, for example for a newsletter, which formerly they could fund from a more generous grant for running costs.

Local authorities provide a range of other resources for community councils. Table 3.5 shows that free use of council premises is common (provided by 80% of authorities) as is specially organised training courses or seminars (90% of authorities). In one case study authority, charges for the use of council premises such as schools causes resentment where no alternative exists. In contrast, in another, rural, authority an annual fund of £1,500 has been established to assist with charges for private accommodation where no council accommodation is available. Two councils provide a handbook, one provides a video and training library and one refers to the pages for community councils on the council's website. Several provide insurance cover either free or at favourable rates.

Table 3.5 Support provided by local authorities to community councils, 1997/98

Support Provided	Number of Local Authorities			Total	
	Rural	Inter-mediate	Urban	No.	%
Specially organised training courses or seminars	9	9	9	27	90
Free use of council premises for meeting	8	9	7	24	80
Training – free or subsidised	5	6	6	17	57
Free use of office services	4	4	4	12	40
Services of dedicated support staff	4	1	5	10	33
Subsidised use of office services	0	5	2	7	23
Subsidised use of council premises for meetings	1	0	3	4	13
(n=)	(9)	(10)	(11)	(30)	

(missing cases = 1)

Source: Postal survey

Information (rather than skills) is the main focus of the training provided to community councils. Recent topics included planning procedures and best value. Community councillors appreciated the training provided for them by local authorities, their own forums or federations and other bodies from time to time. Opinion was divided on whether there was a need for more skills training. The work of community education and community development officers has often been intended to assist in developing such skills. There was little or no sign of any such support in most areas. Little provision is made for induction training for new community councillors, unlike certain other types of public service such as school board or children's panel membership.

Ten councils (33%) offer the services of dedicated staff. What is usually meant is the employment of staff whose remit is to provide office services and other support to community councils and sometimes to other community groups. In one case study council this means the existence of a resource centre with three staff who assist community councils with office services and information, and provide assistance to the council's administration of the community council scheme and to monitoring community councils' activities, elections and minutes, for example. Another council provides a community council resource unit with two staff. One case study community council with such assistance commented that it was not the same thing as having access to the professional resources, expertise and skills that the local authority took for granted and which were sometimes required to present a case.

The composition of community councils

The method of forming community councils is not specified by statute, but local authorities have to set down in their schemes for community councils how they shall be elected or appointed. Broadly two models of representation are used: direct election; and, representation by organisations with a presence in the area. Direct elections is the favoured model in most places, with almost nine in ten councils (87%) saying they use direct election on an adult franchise. An additional two local authorities use a wider franchise, extended to young people under 18.

Some interpretations of the role of community councils suggest that membership should be made up of local community and voluntary group representatives. No evidence of this being used as the only form of membership was found. However, in a large minority of local authorities (37%) nomination by community organisations is used to supplement direct elections. Representation by community organisations may also be achieved through co-option or simply by inviting representatives of community organisations to attend meetings as members of the public. It was not always clear in case studies which method had applied to the presence of community organisation representatives at meetings and this issue was blurred by the overlapping memberships of voluntary organisations and community councils by many community councillors. Where such

representation occurs on a formal basis, invariably a minority of places are available to designated community groups or organisations with a presence in the area such as tenants' associations, neighbourhood watch schemes or a college. In one case study area the council had taken steps to prevent a community council from accepting nominations from local political party branches, whereas in another authority, political party branches were seen as a type of community group.

Co-option can also be used to fill vacancies between elections with interested members of the public. One office-bearer, for example, described how he had first got involved by accompanying his neighbour to meetings but had since been nominated and returned (unopposed) at the last election. The local authority concerned has since eliminated the provision for individual co-option from its scheme, fearing the possibility of encouraging 'cliques' to develop, while retaining a provision for nomination by local groups.

Elections

In many areas, elections are infrequent because the number of nominees equals, or is less than, the number of places. When elections occur, community councils have a role in their organisation in around one-third of the local authorities (31%). This means either sole or shared responsibility with the local authority. In some areas local authorities expect community councils to organise elections after the first, which the local authority organises.

Generally local authorities and community councils pay for publicity for elections when they take place. In most cases this means a notice in the local newspaper and display of posters. One-third provide publicity leaflets and the same number of councils say they arrange and pay for public meetings, while a slightly smaller proportion (28%) say that community councils do this as well or instead. Two authorities report use of local radio.

Elections, when they occur, take place in the same polling stations as are used for local and general elections in six out of ten (60%) areas. Half the local authorities (50%) use booths in other places such as community centres and two in ten (20%) use public meetings for elections. Ten local authorities (35%) report using postal voting (of whom eight use only this method) and four authorities (13%) reported the use of electronic voting.

Most schemes for community councils provide for a standard length of time between elections for all community councils, but some schemes allow for variety. Almost two-thirds (63%) of local authorities state three years as the interval, over a quarter (27%) say four years and four (13%) say two years. Two councils (7%) provide for annual elections.

Overwhelmingly the most common method of voting is for electors to mark an X next to the names of as many candidates as he/she wishes to vote for (up to the limit of the number of vacancies). For most local authorities (70%) this is the only voting method used. In five areas (17%) community council areas may be divided into 'wards' and electors vote on first past the post principles and in three areas voters can rank candidates in order of preference. In case study areas, alternatives to the most common voting system were restricted to one or two community councils.

It may matter little what methods and electoral systems are used for elections if elections are rarely held, as seems to be the case in many areas. Generally, local authorities report that elections are rarely required because the number of nominees rarely exceeds the number of candidates. Examples include an authority with around 90 community councils where 13 contested elections occurred in the last round and another with 17 community councils where three elections took place.

Local authority officers and elected members interpret the limited electoral activity in several ways. Many see it as weakening the democratic legitimacy of community councils. For some councillors and officers, however, the activities and visibility of some community councils overcome the disadvantage of a weak electoral mandate whereas in parts of several case study areas, there was evidence of this being insufficient to

persuade some councillors that they should listen to community councils or consider them to be legitimate representatives of local opinion.

Community councils interpret the lack of interest in contesting elections in two ways: as evidence of apathy or disillusionment with the role of community councils or as evidence of the public's satisfaction with the job the present community council is doing. Where a community council is well-known through, for example, a regular newsletter, public meetings, press coverage or publicity about who its members are then there may be merit in the latter interpretation. The case study community councils included several of whom this might be said, including one whose office bearers felt that an election could be contrived by canvassing in the neighbourhood, but there was no point in doing this for its own sake since there was evidence of satisfaction with the community council. In some cases elections are avoided by the withdrawal of nominees in order to avoid what is seen as 'divisive' activity within communities. Elsewhere, few community councils or local authorities appear to recognise that with limited publicity, and the generally welcome absence of party political involvement, citizens may not be aware of nominations being called for or elections being held. A comparison with English parish and town council elections may be used here. Publicity is provided partly by the political parties which contest many elections but also by means of delivery of polling cards to electors.

Turnouts

The minimal need for elections is combined with low turnouts to compound a perception of apathy and poor mandates. Systematic evidence about turnouts is impossible to obtain, but local authorities use 'low' most frequently to describe them. The lowest turnout reported is 0.15 per cent (in a rural area). Another rural local authority indicated that turnouts average eight to ten per cent and another says they range from nine to 27 per cent. Yet another says turnouts in the most rural parts are higher than in the towns, ranging from 30 to 70 per cent. Two urban authorities, which had each held only one election since re-organisation, achieved 11 and 27 per cent turnouts respectively.

This general picture provides little hint of the effort being made by a group of local authorities, in rural and urban areas, who are striving hard to improve the visibility of community council elections and the ease of voting. For example, the use of greater

publicity by one local authority resulted in eight per cent turnout in an urban part of the area and 27 per cent in a rural part, considerably higher than the level of two to four per cent achieved previously. However, three councils report spectacularly higher turnouts as a result, in one, of combining community council and local authority elections on the same day (62 per cent turnout) and, in the others, over 90 per cent and averaging 50 per cent, respectively, as a result of using postal ballots. A community council forum in one area has proposed to the local authority that community council elections should all be held on the same day and promoted by community councils and the council. These efforts to publicise elections and increase turnouts all depend on the receipt of sufficient nominees to trigger an election yet there has been little publicity generally for community councils intended to foster such interest.

Summary

This chapter has reviewed the legal framework for community councils, reported the numbers and coverage of community councils, considered geographical differences, reported on funding and other resources and outlined the evidence about elections and turnouts. The main findings are:

- The legal framework leaves a lot of scope for defining the actual role of community councils.
- Community councils cover 83 per cent of the population of Scotland, a slightly higher percentage than in the mid-1980s. There are significantly fewer community councillors than are provided for in the schemes.
- In broad terms, community councils in rural areas cover a small population and appear to have a stronger presence and status than in urban areas.

- Local authorities spent around £1 million on grants to community councils in financial year 1997/98. The average administration grant is £538 but over half the local authorities provide an administration grant of between £247 and £417 on average.
- Community councils have a weak electoral base with many community councillors not facing elections. When elections take place, turnouts are typically low but several local authorities are seeking to address this, with postal ballots the most successful method.

4. The role of community councils

Introduction

This chapter reports findings about how the role of community councils is perceived and interpreted, the range of the activities they engage in, the ways in which community councils and public bodies relate to each other, and the ways in which community councils fit into wider mechanisms of public consultation.

Statutory role and status

The meaning of the statutory role of community councils causes some confusion and difficulty to local authorities and community councils. Many interviewees, whether seeing a positive role for community councils or not, observe that their role and purpose is unclear. Four issues emerged as relevant:

- whether community councils are corporate bodies and the consequences of this uncertainty;
- whether community councils are 'statutory' or 'voluntary' bodies;
- whether they have powers to hold assets and employ staff and the consequences of doing so; and
- whether they can or should carry out functions or services delegated by local authorities.

The exact legal status of community councils is an issue seen as problematic by some local authorities' legal officers and by some community councils as a consequence. Community councils do not appear to be corporate bodies with the advantages of limited liability for their members enjoyed by local authorities, trusts and limited liability companies, for example. This is seen as having an inhibiting effect in the minds of some local authority legal officers who are reluctant to see community councils taking action such as incurring legal expenses, holding assets and employing staff, for example. There could be no protection from the consequences of any *reckless* action condoned within a corporate body with limited liability.

The legal status of community councils is closely related to their function, and there is also uncertainty over this. The statutory base of community councils appears - and is often interpreted - to grant a power of general competence 'to take such action in the interests of that community as appears to it to be expedient and practicable'. However, legal officers immersed in the traditions of *ultra vires* are sometimes inclined to take the view that unless a power is spelt out specifically in law, community councils have no authority to enter into contracts, to engage in minor construction projects (for example to erect an aerial to improve television reception in a rural area) or to employ staff, for example. The breadth of their potential role seems to be at odds with the informality of their legal status.

Community councils have some of the characteristics of the voluntary sector. Although provided for in statute, their existence is not prescribed. In addition, their members predominantly see them as a voluntary activity, requiring participation without reimbursement for time or any lost income arising. However, many community councils feel they are excluded from benefits available to voluntary organisations (for example, in one case study area, a subsidised council flat to use as a base in a council scheme), participation in civic affairs (for example the Scottish Civic Forum, established to represent civil society to the Scottish Parliament) or charitable and other funding. In response to this, some community councils have set up community development trusts on other charitable arms to access charitable funds. They are, therefore, highly dependent on their local council for financial resources - or on any fund-raising capacity they may have locally - in order to take some of the 'action in the interests of that community as appears to it to be expedient'.

The final issue to emerge is the extent to which it would be desirable or legal for local authorities to delegate functions or services to community councils. A few examples were reported of community councils being resourced by local authorities to provide services that the local authority has discretion to provide (see Chapter 3). However, no council has delegated statutory services or duties, nor was there any evidence of community councils being considered as appropriate bodies to contract with for the delivery of services. While a few interviewees saw this as a direction in which they would like community councils to go, many also saw practical difficulties in achieving it.

Activities

To a great extent community councils are what they do. The breadth of their statutory purpose is reflected in a wide range of activities which contribute to a variety of roles.

One way of describing community councils' main activity is that they hold meetings at regular, often monthly, intervals. However, the activities undertaken by community councils between meetings are important in determining their effectiveness as community consultees. There is great variety between and within community councils and the most active will regularly:

- write several letters following a meeting of the community council
- attend meetings with public officials
- hold a public meeting either at regular intervals or in response to a specific issue
- carry out surveys
- meet with other community councils or other community groups
- write in response to a draft policy report such as a draft local plan
- receive and respond to enquiries and problems raised by members of the public
- send representatives to attend a meeting of a council area committee, advisory group or regeneration partnership
- produce a newsletter and distribute it to all homes in the area
- provide a report on the community council to the local newspaper
- arrange for public officials or others to attend future meetings of the community council
- negotiate codes of practice with local authorities
- arrange social or other events such as annual gala days and outings.

Few community councils will do all these things regularly but several of the case study community councils did most of them. The main activities are discussed under six headings.

Community council meetings

Community council meetings are held in public halls, schools, hotels, community flats, members' homes and community centres. Some community councils report difficulties in locating suitable or affordable premises. Some but not all community councils publicise the location and time of meetings. Most case study community councils typically have few members of the public present at ordinary meetings (all are open to the public) but most organise public meetings on a regular or occasional basis. The largest attendances at public meetings are generated by controversial issues including planning proposals, crime and traffic management issues. Some community councils hold public meetings routinely, for example every year or six months, some rarely or never hold public meetings and some hold meeting when issues of concern or strong public interest arise. Attendance varies from half a dozen to over 100 with attendances over 200 reported in relation to highly controversial issues. Public officials frequently attend community council meetings or public meetings called by community councils. Councillors also attend many such meetings.

Other meetings

Members of most case study community councils were involved in meetings additional to the regular meetings of the community council. These included meetings of consultative groups such as regeneration partnerships or area committees, meetings with other community councils, meetings with public bodies and, exceptionally, private companies, called at the request of either party and meetings with local groups or individuals within the area of the community council. Some of this required no regular commitment of time while others required as much or greater commitment of time and effort as the community council itself, including, for example, reading papers in advance of meetings. Many community councils perceived an increase in the expectations on them to attend meetings called by other bodies.

Commenting on draft policies or issues of concern

Community councils vary in the way they deal with controversial issues and with draft statements of public policy from local authorities and other public bodies. Typically several policy reports will be put to each meeting of the community council. The reaction of community councillors to this correspondence varied from appreciation at receiving it

‘we would rather have it than not’ to dismay at the waste of paper and cynicism about whether a response is really sought, especially if very little time is available to frame one. Some community councils would appreciate more effort from local authorities to co-ordinate the sending out of draft policy statements or other requests to comment, so that a steady trickle is achieved rather than the ‘feast or famine’ that was alleged.

Community councils are selective in the policy reports they respond to, making a judgement either about their relevance to the local community or about the possibility of framing a response in time to meet the stated deadline. Sometimes members of a community council build up an interest in a particular topic or already have a professional or lay involvement in an issue such as planning or transport and in these cases draft policies or proposals are often entrusted to such individuals or sub-committees, sometimes in advance of community council meetings, to frame a draft response. Sometimes secretaries or other office-bearers are left to respond and sometimes – relatively rarely – community councils organise a public meeting or public opinion survey before framing a response, an issue considered further in the next chapter.

Letter writing

For some community councils, letter writing is the main activity apart from meetings. Letters may be written in response to correspondence received (up to 30 items were observed on the agenda of community council meetings) or in response to issues raised by community councillors or members of the public at the community council meeting. The correspondence received by community councils includes a few items from public bodies apart from local authorities, although local authority headed notepaper dominates. Correspondence from public bodies includes requests for comments on draft policy reports, invitations to participate in public meetings, public information leaflets and requests to assist with recruiting volunteers for public service, for example as prison visitors. Letters from community councils to council departments are copied by some community councils routinely to the local elected member of the council and sometimes to the MP. Letters are written to public authorities such as the Police, the water authority, the Scottish Office and health agencies as well as to the local council. Letters may be written to make enquiries, to comment on proposals, to lodge complaints, to seek meetings and for other reasons. Generally, community councils are satisfied that

their letters generate a response within reasonable time scales, but are not always satisfied with the content of that response, not surprisingly.

Publicity and promotion

Community councils vary in the extent to which they see publicity about their role and activities as a priority. Efforts made by case study community councils include newsletters; public meetings; securing coverage in local newspapers; posters and notices on dedicated noticeboards or in shops, public libraries or community centres, for example; and social events or activities. Some of these methods of publicity serve other functions, such as in providing a service to isolated older people or in providing a forum at a public meeting for the airing of views.

Handling enquiries from the public

The visibility of community councils appears to vary a lot. Most case study community councillors report that they receive letters, visits or phone calls from members of the public. In some cases this may be restricted largely to occasional encounters in the street, while in others the correspondence placed before a community council meeting may include several letters from members of the public. Some community councils – very few of the case studies – maintain their own premises or use other premises as a base for meeting members of the public who wish to bring problems or comments to the community council. This provides a community information service which at its best will recognise its own limitations by directing some people to alternative sources of advice, including councillors and MPs. It has other advantages, however, in enhancing the visibility of the community council and in providing insights into the problems and priorities of some local residents.

Surveying local opinion

Community councils are expected to ‘ascertain’ the views of the community. Case studies provided a variety of examples of ways in which community councils survey local opinion:

- surgeries and advice services
- letters, phone calls and visits to community councillors by citizens
- informal conversations in the street or at meetings of other voluntary organisations
- household surveys
- public meetings
- use of newsletters to ask for comment
- noticeboards, posters and press publicity
- face-to-face surveys of shopkeepers, community groups, schools and other local bodies.

Community councils vary from those who rarely use any of these methods to those who use several simultaneously.

Several of these activities, such as holding public meetings and producing newsletters, have a very clear and direct bearing on the effectiveness of community councils as community consultees and require resources and skills that some community councils say they have not got. The evidence suggests that none could respond within the time and resources available to them to the volume of expectations implied by the correspondence most receive. To an extent, the activities each one engages in is a measure of the reservoir of active citizenship which the community council idea and specific issues generate within a locality. However, this must be qualified by the evidence that suggests that in some areas most citizens will remain ignorant of the activities or existence of a community council.

Liaison and consultation

Some of the activities of community councils are intended to influence local authorities. The nature of the relationship community councils have with local authorities is, therefore, crucial in defining the role of community councils. This part of their role is created as much by the policies and practices of local authority elected members and officers as it is by community councils themselves. Although community councils have contact with many other public bodies, they generally perceive their most important relationship as being with the local authority and they are dependent on it to provide information if they are to play any role in community consultation.

A large majority of local authorities (72%) report that they have a code of practice for the conduct of relations with community councils and some others are found to cover some of the possible ground in their schemes for community councils. Schemes and codes of practice set out the responsibilities of both councils and community councils with regard to consultation procedures. They establish local authorities' obligations with regard to types of information provided to community councils, provision of contact details, timescales and the provision of other support (administration, finance, training). They set out expectations of the duties, roles (representativeness is sometimes emphasised) and conduct of community councillors, the requirement to provide councils with minutes and accounts and the form (usually written correspondence) that community council responses should take as well as requirements such as number of meetings, access of the public to meetings, the need to encourage youth representation and the desirability of community councils taking up training opportunities.

These codes of practice show a considerable improvement from the 'notably vague' community consultation undertakings from local authorities that Hart found (1986:1). Many of the codes include advice on ascertaining the community view, dealing with planning, organising meetings and responding effectively to consultation. Few codes of practice refer to the standards of conduct expected of community councillors, who might have been expected, for example, to declare any personal interest in issues under discussion. One scheme specifies a limit (£15) to the expenditure to be incurred by candidates in elections.

Local authorities and community councils report links between community councils and many council departments, in some cases officers at area level as well as centrally having a responsibility to liaise. Most local authorities (87%) say they have a designated liaison officer in relation to community councils. The role of this officer, however, seems to vary with different degrees of emphasis placed on:

- administration of the community council scheme, monitoring of community council elections and accounts, and administration of funding and other support;
- co-ordination of consultation between community councils and council departments;
- provision of office and other support services for community councils;
- development support for new community councils, training for community councillors and policy development in relation to the role of community councils in community consultation.

Many of these tasks are carried out by clerical or administrative staff and some by more senior professional staff. In some case study authorities, little staff time was devoted to development support for new community councils, training for community councils and policy development in relation to community consultation. These tasks require professional skills that all councils employ but some have not deployed to assist the development of community councils.

In a few cases, special efforts have been made to provide an officer to act as a point of contact, as in authority D's 'special friend' scheme and in authority C where community work staff 'support individual community councils on an area basis'. In another authority, a 'neighbourhoods resources and development' department claims that it acts as a one-stop link between community councils and council departments and in another 'all departments respond to community councils' enquiries depending on the nature of the enquiry'.

There is disparity in what councils report about the arrangements for liaison with community councils. The variety of reasons why community councils and local authorities may want to contact each other helps to explain this variation. Community councils or local authorities may need to communicate in relation to the administration of the local authority's scheme for community councils, for example in relation to funding, elections, annual accounts or in relation to the office services provided to community councils by the council. A second form of contact is over matters that community councils are routinely consulted about by law or local policy or that the local authority wishes to raise on an ad hoc basis. A different form of contact takes place when community councils are involved as members of council committees or working parties. These three forms of contact are considered in turn.

Administration of schemes for community councils

Some gaps in local authorities' records of community councils were found in the survey and case studies but generally the administration of schemes for community councils takes place effectively as a routine activity within departments such as chief executives, corporate services, central services, legal services or administration. Some councils use such departments to mail consultation papers or other correspondence to community councils. The work of the officers responsible for administration is usually overseen by a council committee or sub-committee such as general purposes or one concerned with community consultation or solely with community councils. One case study local authority provides this service from the chief executive's department if wanted but does not require that mailings go from this central point. This council has also considered the need for closer monitoring of community councils, partly to ensure a clearer view is obtained of their representativeness and effectiveness. This has not been welcomed by some community councillors who feel that their restricted budgets make it impossible for them to fulfil the council's expectations.

Routine consultation

Local authorities routinely send a variety of information to community councils. Planning applications must be notified and 80 per cent of councils say they also send council minutes and agenda to community councils. One-third (33%) report sending licensing or, more specifically, liquor licensing information. Three councils mention a newsletter and one sends a 100-page guide to council services and contacts, periodically updated, and another mentions invitations to functions for community councils. Other community councils' minutes, council policies, common good policies, grant and training information and housing information were also reported as being routinely sent by some councils. One case study local authority attempts to limit the volume by sending summary sheets with contact numbers so that community councils can request the full document.

Community council membership of council committees and groups

Local authorities have increasingly found it helpful to invite representatives of community or client groups to serve on committees or advisory groups (which might have alternative names such as working parties). In regeneration partnerships involving local authorities and other public bodies it is commonplace to find community representation on the board.

The extent to which community councils play a role in such developments is shown in Table 4.1. Most councils (83%) involve community councils on structures such as working parties, area forums and regeneration partnerships. Only four do not report such representation. Examples include environmental working parties, a community planning steering group, community forums (made up of a variety of community groups) associated with area committees (of councillors), and other local initiatives and projects. The extent of this involvement sounds considerable, but in practice this does not mean that all community councils in the area of a local authority reporting it are necessarily so involved. Around three-quarters of the case study community councils had recent or current experience of such involvement.

Table 4.1 Community council representation on local authority committees and working parties

With Community Council Representation on	Number of Local Authorities			Total	
	Rural	Inter-mediate	Urban	No.	%
Committees, sub-committees, or area committees	2	3	6	11	37
Working parties, area forums, regeneration partnerships or other structures	8	8	9	25	83
(n=)	(9)	(10)	(11)	(30)	

Source: Postal survey

Community council representation on formal committees and sub-committees of local authorities occurs in just over one third (37%) of the local authorities overall, with a wide variation in practice between rural authorities (22%) and urban authorities (55%) (Table 4.1). One form of representation is on the central committee or sub-committee that has responsibility for community councils and perhaps more widely for community consultation. From the evidence of the decentralisation schemes and case studies, the most common form this representation takes is on area committees, some of which were set up in response to the decentralisation requirement of the 1994 Act. The table may understate the extent of this contact. For example, in case study D, community councils are not members of area committees but may attend meetings and put forward items for discussion, and regularly do so. In general, community councils had fairly positive views about their experience of serving on such committees, reporting that they are listened to and have every opportunity to raise issues and participate.

Case study B illustrates a variety of forms of involvement. Community councils are represented on the council's community councils sub-committee, on area committees, regeneration partnerships and on other committees or groups. In some cases they are the only community representatives, in other cases they serve along with other community groups. In general, any doubts about the value of this contract, by community councils, were about the limited powers or budgets of the committees rather than their involvement in them. For example, one community council felt it was more valuable to serve on the regeneration partnership than on the more formal area committee since that is where money for the neighbourhood will be channelled.

Local authorities and community consultation

Most community councils have a lot of contact with the local authority for their area and many have experience of close working relationships with officers or councillors. But so far this report has not considered how the involvement of community councils fits into any wider processes of consultation conducted by local authorities with citizens or voluntary organisations. This is now discussed with reference to the general policies on community consultation developed by local authorities and by looking at how community councils fit into them.

There were clear signs that many local authorities are trying to develop new mechanisms for community consultation and involvement. Almost half (45%) supplied a policy statement on community consultation and almost all (93%) supplied a copy of the Scheme for Decentralisation required under the terms of the Local Government (Scotland) Act 1994. These show a range of activity with, at one end of a spectrum, local authorities confirming that their existing arrangements for community consultation and decentralisation are adequate (from apparently very different starting points) to authorities that are developing new structures, such as area or neighbourhood committees or forums, and new processes for consultation, such as designating officers to act as the point of contact for community groups. Twenty-five council decentralisation schemes aim to maintain or establish area committees or neighbourhood forums.

Nearly all the decentralisation schemes refer to two aspects of participation. Firstly, 'individuals' (referred to as the public, citizens, residents) are encouraged to participate. Secondly, 'communities' are incorporated into decision-making structures such as area committees, area or neighbourhood forums and forums that focus on one issue (see also Elrick, 1999). One or two decentralisation schemes refer only to the citizenship role of individuals or the 'community' representative role of local organisations.

Council policy statements on community consultation also distinguish individual citizen participation from informing, consulting and working with communities. The statements highlight two broad aims for community consultation: firstly, to improve the effectiveness of service provision, including establishing priorities and needs and, secondly, to build public confidence in the ability of local democracy to deliver the requirements of local individuals and communities.

The treatment of community councils in decentralisation schemes and community consultation policies reveals a degree of uncertainty amongst many local authorities about the role and legitimacy of community councils as well as a general desire by authorities to develop their relationship with community councils more positively. About half of the local authorities with policies on community consultation specify a role for community councils. This role is mainly to be exercised through area forums or, in the case of one local authority, a specific community council forum. One case authority includes the development of the relationship with community councils as one of the five key elements of its participation framework. In one rural authority, area committee membership is made up exclusively of councillors and community councils. However, the majority of community consultation statements that mention community councils see them as having no distinctive part in a community consultation process which also involves other local groups and other consultation mechanisms including citizens' juries, questionnaires, focus groups and opinion polls. Broadly three categories of local authority emerge:

- a small number of local authorities that give community councils a distinctive role in their decentralisation schemes or community consultation policy;
- a large number of authorities who acknowledge a positive role for community councils but stress this is the same as the role given to other community or voluntary groups;
- a very small number of authorities, possibly as small as one, that appear to want to bypass community councils in favour of other forms of consultation or involvement.

The evidence available suggests there are four or five authorities in the first category. Two of these, in rural areas, see community councils as the key feature of their decentralisation scheme and of their approach to community involvement. One authority says that 'The main thrust' of its decentralisation scheme is 'to recognise the statutory role and legally elected status of community councils. This status is given a high profile throughout the initiative'. The other rural authority provides the most generous funding and staffing assistance to community councils of all local authorities and expects community councils to play a role that many other local authorities see as their own, such as allocating grants to local voluntary organisations, assisting in tourist promotion and funding road improvements on private roads. The third local authority - case study C - is in a geographically diverse area and sees community councils as 'the first point of contact' with the council 'within the geographical communities' of the area.

The second category of local authority sees the same role for community councils and for other voluntary and community groups. This approach is illustrated by one authority that reports six mechanisms for community consultation:

1. A 'community initiatives committee', a sub-committee of the council's policy and resources committee, contains councillors and community representatives (not just community councillors). This meets in various locations and finishes each meeting with an open forum for the public.
2. A data-base of community groups (several hundred long, including community councils) which is used for consultative purposes, sometimes selectively but in relation to the council's budget, for example, all groups are consulted. An annual conference is held every autumn. A 'community bulletin' is sent every six weeks to all groups and a separate housing newsletter to all tenants' groups.
3. Two free-standing, portable, battery-operated touch-button machines, which can programme up to 21 questions, are used for consultation.

4. A citizens' panel of over 600 citizens, selected to represent the population as a whole. Panel members have agreed to respond to four questionnaire surveys each year.
5. Focus groups are used for specific consultative purposes, such as the siting of a new cemetery.
6. Service users are consulted by questionnaire survey and in other ways.

This group of local authorities contains two sub-categories. The largest group consists of councils that have carried out or intend to carry out a review of community councils, sometimes because local government re-organisation has created a need for a unified scheme and sometimes because there is a need to consider how community councils can be accommodated within consultation policy or the decentralisation scheme. Several contain implicit criticism of the role and representativeness of community councils in the past, though most of these put the point positively by saying that they seek to develop the role of community councils, as one rural authority says '(we are) committed to developing and maintaining an effective dialogue with community councils'. Another (rural authority) refers to a desire to make community councils 'more representative and have greater credibility' and another (rural again) seeks to encourage community councils to carry out their role of ascertaining the community's views more effectively because of evidence that this is not always done. Several local authorities refer to community councils along with other community and voluntary groups, making clear that community councils will not be treated differently from other groups in their efforts, as one urban authority, said 'to establish a continuous dialogue with representative organisations which will develop into mature partnerships'.

The smaller sub-category of councils appear not to have considered the role of community councils very explicitly, although may have in place some well-developed structures for community involvement. This sub-category includes a case study area where community councils were given a distinctive role on the local authority's area committees some years ago but recently the local authority has had some difficulty in defining the role of community councils, for a number of reasons, including the

disruption to relationships caused by several years of spending cuts. The development of new structures for community involvement do not always encompass community councils, for example in regeneration areas that have no community councils. This has created a complex pattern of community involvement in which the role seen by the local authority for community councils has not been made explicit in some developments while in others they are assumed to be given the same rights as other community groups. There is a desire by councillors and officers to see community councils as having no special access in relation to consultation, although there is a simultaneous desire to develop them further and a history of giving them a special role on area committees.

The third category may consist only of one authority, in an intermediate area, where the authority has recently developed an approach to involvement that seeks to focus primarily on voluntary organisations that are seen as being able to represent specific needs or issues to the local authority more effectively than community councils. Community councils are not, however, excluded.

Roles and community consultation

This concluding section summarises the evidence about the activities of community councils, the roles they play and the place they occupy in the overall framework for community consultation provided by local authorities.

The activities of community councils can be seen as fulfilling several roles. Broadly, six can be detected. Community councils:

- organise special events such as outings for older people or gala days which have benefits in terms of social cohesion, social integration and community development;
- provide services such as advice or minor construction or environmental projects which have immediate benefits for individuals and communities and also add to the visibility and perceptions of effectiveness of the community councils;
- liaise with other community and voluntary organisations to present a common voice, to promote co-operation between them or to negotiate a consensus on priorities for the area;

- identify and take action on issues of concern, directly or by applying pressure to public bodies or others seen as relevant;
- provide a sounding board for local authorities and other public bodies in the conduct of public policy as proposals are developed and implemented, including the conduct of specific decision-making processes such as planning control as well as more strategic planning processes such as community or structure planning;
- provide a sounding board for local authorities and other public bodies in relation to specific services at the request of the service provider, including those required to achieve best value or public consultation in service provision.

This typology of roles may over-simplify what in practice happens, for example, as a meeting between a community council and a public official contributes to the last three of these roles simultaneously.

Community councils vary from each other and over time in how many of these roles they attempt to fulfil. For example, some never provide services to local people nor organise social events such as galas. Some may concentrate on campaigning on an issue of local concern while others may focus on responding on planning or other proposals from the local authority. Some rarely liaise with other community and voluntary groups while others are selective in the choice of issues on which such liaison is focused.

In general, community councils spend a lot of time on seeking to influence local authorities, in responding to opportunities to comment on proposals and in participating in local authority structures for community consultation. In relation to their role in community consultation, community councils are given a distinctive role in a small minority of local authorities' consultation policies. While most councils seek to accord community councils the same access and participation rights as other community and voluntary groups, in practice in a large number of authorities they are the dominant community group to play a role.

5. The Effectiveness of Community Councils as Community Consultees

Introduction

This chapter considers the issues that arise in relation to the effectiveness of community councils as community consultees. The issue of effectiveness raises a number of questions about community councils, such as whether they are representative, what efforts they make to ascertain the views of communities of interest as well as the geographical community they represent, whether they have any influence on local authority or other public policy processes, and what is the nature of their relationships with local community and voluntary groups. This chapter considers these questions under four main headings.

The effectiveness of community councils might be judged in many ways. In this study three broad criteria were used in considering effectiveness. These are:

- that community councils are representative of the population of the locality (which raises questions about the *composition* of community councils);
- that community councils are aware of, and able to transmit, the views of their population to local authorities and other public bodies (which raises questions about the *attitudes and practices* of community councils in relation to their role of representing local views);
- that local authorities and other public bodies are willing to listen to community councils (which raises questions about the *attitudes of councillors and public officials*).

The membership of community councils

It was not possible within this study to collect systematic and comprehensive information about the people who serve as community councillors. Case studies, however, provide some qualitative evidence.

One dimension of the capacity of community councils to represent their population in a 'representative' way is the extent to which community councillors reflect the socio-economic and territorial character of their area. Qualitative findings suggest an imbalance in the age profile and probably in other aspects of representation such as ethnicity and disability. In case study community councils few members are aged less than 40 and typically several are retired. These are people with time and often with relevant acquired skills and a desire to 'give something back' to the community.

The relative absence of young people on community councils is a matter of regret to many, but not all, community councils. There has, for example, been little demand for an enlarged franchise from community councils consulted in reviews of community council schemes in some case study areas. One local authority suggests in guidance to community councils that they consider establishing junior community councils. Some case community councils have gone to great lengths to attract or co-opt young people, for example by co-opting a former pupil of the local high school. Other community councils have attempted to get closer to young people's views in other ways, for example by visits to schools to discuss local issues with senior pupils or, in one case, by setting up a 'youth council' which runs in parallel with the community council. Three community councillors co-ordinate and facilitate the youth council which provides a forum for 12 to 17 year olds to raise issues and express opinions. The community council has not been deterred by poor attendance and is undertaking renewed recruitment.

Although overall more men than women participate in community councils, the evidence points to a higher proportion of women than is found in local government or at Westminster. In a small minority of case study community councils, women are either in the majority or hold most key office-bearers' posts.

Representation by minority ethnic groups is found only in urban neighbourhoods where substantial ethnic minority communities reside but even then it is not in proportion to the size of the minority groups in the locality. Some, but not all, community councils in urban areas make substantial efforts to attract the interest and involvement of ethnic minorities, with mixed success.

The breadth of the spectrum of occupational backgrounds represented on community councils varies but is narrowest, generally, in urban neighbourhoods or industrial villages with a homogeneous occupational character. The allegation that rural community councils are dominated by local headteachers, doctors, and representatives of landed interests is hard to justify from the research. Equally, though, the evidence of case study community councils is that the mixed occupational profile of the local population is not fully reflected in their membership.

Two common – and related – characteristics of many community councillors was apparent in case study community councils. As many as half the community councillors in some areas were said by their colleagues to be members of local political parties. At least as many were said to be members of other community and voluntary groups such as churches, advice centre management committees, business organisations, tenants' associations, uniformed youth organisations (as adult leaders), trades unions, sports clubs and environmental or conservation groups. These latter affiliations were seen as providing strength for the community council and undoubtedly enhance the capacity of many to claim a form of representativeness. Affiliations to political parties were seen by community councillors as of little relevance as long as these remained in the background, as a symptom of an individual's general interest in civic service and current affairs. However, some local authority elected members were said to feel antagonism towards community councils allegedly dominated by members of alternative parties to their own. This was said to have produced the conditions for poor personal relationships in a few cases but direct evidence of this was hard to obtain.

A final dimension of composition is territorial coverage. A minority of community councils are constituted to provide members from different 'wards'. In three case study community councils (in different case authorities) this seems to provide an incentive to ensure that the 'wards' – in two cases separate settlements and in the third neighbourhoods of a large town - are fully represented. More typical is the pattern in most small towns and urban neighbourhoods where community councils are elected in their entirety from one list of nominees. It may be a matter of chance whether particular geographical areas achieve representation and in some case study community councils this is not being achieved. Community councils vary in their awareness of this issue and

some make attempts, for example through co-option, to remedy significant gaps. In one area there was virtually no contact between the community council and areas of new private housing. In others, several new community councils had been set up recently to represent new estates, at the request of residents.

Representing local views

The attitudes and practices of community councils in relation to representing local views is a dimension of effectiveness. Their statutory role 'to ascertain, co-ordinate and express' is interpreted in many ways: how it is carried out is affected by the resources and opportunities made available to them as well as by the approach and attitude they bring to the activities that were outlined in the last chapter. Here the discussion focuses on approaches and attitudes to 'ascertaining', 'co-ordinating' and 'expressing'.

Some observers of community councils commented on the reluctance of some community councillors to accept that their role may not be to express their own personal opinions on the issues considered by the community council. 'Some community councils see themselves as sole spokespeople for their areas and resent it if local authorities should seek views or dialogue elsewhere' one local government officer said. Another described some community councillors as 'like old-fashioned councillors'. Another said the best are 'the ones least likely to claim sole representation rights'.

The evidence points to variety amongst community councillors, with some local authorities currently making efforts to overcome this problem where it has existed in the past, mainly through discussions with community councils, in guidance provided to them and in codes of practice. One large rural authority refers to a concern in the past that some community councils were not as democratically based as they ought to have been. The new community council scheme and related code of practice stresses the need for:

'sound democratic principles and regular contact with the communities they serve. All the evidence now to hand suggests that community councils are accurately assessing and expressing local opinion both to the council and to other public bodies. This is of great value to local authority councillors who ... increasingly rely on community councils for feedback.'

(council liaison officer)

Another - large urban authority - says recent experience has shown community councils can 'provide a vehicle' for the community to express its views on important planning issues. How community councils keep in touch with local views has long been a concern: 'A minority of (community) councils did mention some canvassing but it did not appear to be undertaken frequently' (Hart, 1986, p.57). Several of the activities of community councils, described in Chapter 4, are carried out in order to establish local opinion.

Case study community councillors varied in the attitude held towards this issue. Some do not think any special effort is required, some find it hard to say systematically what approach they take, and some relate a number of illustrations of 'ascertaining'. Those who find it hard to answer an abstract question are at times able to give examples of 'ascertaining' local views using different language.

A small number of community councillors indicated that they view themselves as having precedence in access to the policy process over 'single issue' groups. One chairperson said this meant a heavy responsibility to act responsibly and be sure that what was said by the community council represented local opinion, through a newsletter, advice surgeries and surveys, for example. In other cases it was not clear that local opinion had been ascertained. Some community councils undoubtedly rely on their own members' insights and views, possibly informed by informal conversations with residents, discussion in voluntary organisations of which they are members, and experience of previous similar issues. The lack of specific efforts to gauge community opinion may be justified in two ways: first by the inadequacy of the resources, including time, available to the community council to engage in surveys or organise public meetings, for example. For these community councils it may be useful to point to the remarkable achievement of others who obtain high visibility and substantial inputs to their policy deliberations

through judicious use of newsletters and regular public meetings, for example, funded through a small grant from a fund equally available to other community councils. The real issue here may be lack of skills or attitudes rather than lack of resources. Second, some community councillors refer to their visibility in the area and say that people will approach them if they wish to make a point. For such community councils, representativeness in terms of composition may be more important than for others who seek input from local residents and groups. However, the overwhelming majority of community councillors see the relationship with other community groups as one of partnership assisted by overlapping memberships.

What it might mean to ‘co-ordinate’ the views of local people or voluntary organisations is unclear to many community councils. The perception of many local government officers is that community councils represent ‘a view’ rather than ‘the range of views’ within a community. This becomes a problem for public bodies in cases such as planning proposals where opinions may be sharply divided. Community councils seem reluctant to report such divisions (although a few examples were found) and often feel an obligation to provide a view – sometimes reached through a vote of the membership of the community council – to the public body seeking it. Local authorities and other public bodies say it is helpful to know what the view expressed by a community council represents – the outcome of a vote at a large public meeting, or a vote by the community council, or the result of a sample survey, for example – and there is evidence of this being encouraged and sometimes provided particularly where community councils consider it enhances the legitimacy of their view.

Several examples of systematic attempts at co-ordination were encountered in case study community councils. Office bearers may visit community organisations and major institutions in the area to canvass opinion on particular issues and community councils may seek to co-ordinate comments to housing and planning departments with the local tenants’ associations and conservation societies respectively to try and ensure they speak with a common voice, if possible. Some community councils invite local groups to attend their meetings and collaborate with other community councils, community groups and public bodies over issues such as the impact of a power station or a sports facility in an

area. Community councils are selective in the issues they choose for such co-ordination, feeling it is unnecessary or impractical in some cases.

The overlapping memberships between community councils and voluntary organisations, which are common, facilitate this co-ordinating work. Where no such overlap exists there is some evidence of disaffection with community councils. For example, a federation of tenants' groups in one case study area sees community councils as 'stuck in their ways', middle class and not interested in tenants' concerns. However, this image of community councillors as narrowly-focused 'do-gooders' or 'the golf club set' was contested elsewhere, including by tenants' groups.

The capacity of community councils to measure and transmit the view of local residents and community groups is dependent on a wide range of factors. It is a product of the resources, including time, information and opportunities available to volunteer community councillors, the practices of members of local authorities and other public bodies, and the voluntary time, commitment and skills of members. These have been considered in relation to community councils. This chapter concludes by considering how the attitudes and practices of public bodies can assist or hinder community councils' effectiveness and the extent to which community councils feel they actually make an impact.

The response of local authorities and other public bodies

The attitudes, policies and practices of local authorities and other public bodies towards community councils are an important factor in creating the conditions for their effectiveness. The pattern found is a mixed one, not entirely confirmed by direct questioning of elected members who very rarely display negative attitudes though sometimes report them in their colleagues. Officers display a more varied set of stances, at one extreme seeing community councils as worthless, unrepresentative and even an impediment to community development and at the other seeing them as a valued addition to the process of local governance and as providing a valuable service to their own localities. Most local government case study respondents feel that community councils

are varied, with some good and some bad, and given that they exist they should be included in consultation.

At least some of the community councils in all the case study authorities perceive themselves as having good relations with officers and councillors. In many cases community councils report 'very good' or 'excellent' working relationships and believe they are listened to. In all areas, except case authority E, incidences of councillors apparently ignoring or neglecting community councils are rare. However, these relationships are dynamic and can alter over time or with the election of new councillors or community councillors. There is some evidence of poorer relationships where community councillors are known to be members of political parties other than that of the local councillor. For councillors with senior roles to play in a local authority or with more than one community council in their area, there may be difficulty in attending community council meetings. In such circumstances, community councils appreciate apologies for absence being given. Councillors' participation in community council meetings seemed to vary from observation to active participation in debates. Some community councils provide space on the agenda for a councillor to raise any issues of interest or concern.

Community councillors' perceptions of local government officers is almost as positive. Fairly typical of the more enthusiastic was the comment of a community council chairperson that relationships are 'excellent' with all departments except one. This office bearer is on first name terms with many of the officers who provide public services in the area, many of whom consult the community council or keep in touch over issues of concern. The department complained about was accused of arrogance in presenting proposals for change as a *fait accompli*. Another office bearer elsewhere sees the relationships with officers as part of a process in which the community council has to be 'constantly vigilant'. Many community councils have far better developed relationships with some departments than others, depending on local issues of concern such as roads, cleansing or housing. There is some evidence of specialisation with other voluntary groups, for example in one community council covering a mainly owner-occupied neighbourhood, there is a 'good' working relationship between the housing department and the tenants' association, but the tenants' association looks to the community council

for support over any particularly difficult issues that may arise in that relationship or more generally to 'look after' the wider interests of the area with other departments and agencies.

Other public bodies vary greatly in the extent of their visibility in the activities of community councils. In many areas, the police are most visible, attending many community council meetings in response to requests to discuss crime or traffic problems. Many community councils have close relationships with neighbourhood watch schemes and crime prevention panels.

There was some evidence that other public bodies are increasingly developing relationships with community councils as consultees. There were examples of community councils receiving regular correspondence from water authorities and several community councils were members of local consultation groups established by water authorities.

Achieving influence and improvements

One measure of the effectiveness of community councils is the extent to which they influence the policy process and secure improvements in their area. All case study community councils could point to some achievements, although a few report it was some time since any impact had occurred. In some cases the achievement was something that would not have occurred without the community council's involvement. In case authority B, for example, a community council raised funds to redesign and landscape a small public park. Community councils in case study F provided a list of achievements that included:

- Provision of environmental amenities

The community councils had identified needs for additional amenities and had been able to secure these from the local authority, either through direct contact with the relevant service department, or making use of the influence of their local elected councillor. These amenities included such things as: dog poop bins; goal posts in the local park; improved street lighting; and bus shelters. One community council covering an area with a lot of public sector housing had also used its influence to argue for housing improvements in

the form of double glazing and central heating. Given that the housing concerned was in an old post-war scheme, it is probably the case that such improvements would have been undertaken anyway at some point, but the community council felt they had been influenced by the timing.

- Provision of other services

One of the community councils reported providing personal alarms for all the elderly people living in their community. This was supported by special project funding from the council.

- Advice and information services

Two community councils had achieved the provision of advice sessions in the locality by bodies with offices some distance away.

- Reversal of decisions perceived as detrimental to the community

On a number of occasions, community councils reported ‘victories’ where their representations had reversed or presented decisions inimical to the local community. Examples cited included: the removal of a two-hourly bus service through the locality and a decline in the frequency and duration of the home-help service.

Finally, two community councils in case study A negotiated a code of practice with a mining company whose lorries frequently drove through their settlements. The code is intended to regulate timing, dust and identification markings on lorries.

Effectiveness as community consultees

This chapter has considered the membership of community councils, their approach to representing local views, the responses of local authorities and other bodies to community councils and the influence and improvements they feel they achieve.

In summary, in relation to membership, community councils appear to be more representative than other elected bodies in respect of gender but less representative in respect of age profile. They are about as representative in respect of ethnic and occupational background. They are distinctive in the nature and intensity of the involvement of community councillors in local community affairs.

In representing the views of their population, community councils depending on the issue concerned and their approach to the task of ascertaining and co-ordinating views. Some local authorities have recently taken steps to clarify what they expect from community councils in relation to this role but in many areas uncertainties still exist. Many community councillors are also involved in other community and voluntary groups, a feature of membership that enhances relationships between groups.

Community councils report mainly positive relationships with officers and councillors and with other public bodies. With some exceptions, they feel they are listened to. Most community councils report positive improvements to their area as a result of influencing public policy or service delivery.

6. Conclusions

Community councils have survived and, in some cases, prospered for quarter of a century. Yet their role has not been reviewed systematically at national level since the deliberations of the Wheatley Commission led to their creation. The research on which this report is based aimed to establish the role and effectiveness of community councils as community consultees by examining:

- the extent to which community councils are performing a useful role and effectively representing and promoting their communities;
- factors which contribute to, and detract from, the role and effectiveness of community councils with regard to community consultation; and
- how community councils fit into the wider pattern of community representation.

This concluding chapter draws on the evidence to answer the four questions implicit in these aims by considering whether community councils play a useful role; their effectiveness in representing and promoting their communities; the factors that contribute to and detract from their role and effectiveness with regard to community consultation and how they fit into wider patterns of community consultation.

Performing a useful role

One of the key findings of this report is that community councils can perform many different roles, all potentially useful but some more relevant than others to community consultation. The potential variety of roles (see Chapter 3) contributes to the uncertainties about role and status detected amongst many community councils and local authorities, many of whom would appreciate greater clarity. A few local authorities have provided some guidance on particular roles whilst leaving community councils to decide how widely they wish to define their roles.

Some community councils perform several roles simultaneously whereas others concentrate on one or two. Some may perform no useful role although this was hard to detect: disappointment with community councils often arises from a conception of their role which differs from that of the community council itself or which the community council finds hard to fulfil.

Differences in the roles performed can be detected within and between local authority areas. The absence of statutory duties and a power to levy taxes combined with the breadth of the statutory definition of the purpose of community councils and their dependence on funding and goodwill from local authorities has created the conditions for the variety of roles to develop. The differences are, therefore, partly accounted for in the different patterns of funding, liaison and status accorded community councils by local authorities in different parts of Scotland. To some extent, no comparison should be made between community councils in different areas since local authorities have created very different roles for them. This is particularly the case in relation to roles concerned with community consultation. However, the scope available to community councils to develop their own role in different ways makes some comparison possible.

The roles played by community councils include two – social and community development and service provision or minor improvement works – that enhance the visibility of the community council and improve life in the area. They fall firmly into the scope of the last part of the statutory definition of the purpose of community councils ‘to take such action in the interests of that community as appears to it to be expedient and practical’. Their relevance to community consultation is that they promote the visibility of the community council and bring community councillors into contact with people and issues in the area.

Three other roles played by most community councils are more directly concerned with community consultation:

- putting pressure on local authorities and other public bodies over issues of concern to members of the community;

- providing a sounding board for local authorities and other public bodies in planning and decision-making processes;
- providing a sounding board for local authorities and other public bodies in relation to service provision.

There is not always a clear division in practice between these – community councils and local authority departments may at the same time want to discuss service standards, for example. However, it is useful to distinguish the likely source of the initiative. In relation to the first, it comes from community councils and local authorities and other public bodies can choose to respond in whatever way they wish. In the second, the initiative comes from the local authority or other public body and community councils feel free to respond or not, depending on the priority they attach to the issue or the time or cost that responding would entail. In relation to the third, the initiative may come from either party and the other is free to decide whether and how to respond.

The sixth role of community councils – liaising with other community and voluntary organisations – is a means to fulfilling the other five roles as well as potentially having value in its own right, for example in securing co-operation for a project. This is the role of community councils on which clear guidance about expectations is hardest to obtain.

Clearly, community councils perform these roles to different degrees of effectiveness, the next issue considered.

Effectiveness in representing and promoting their community

The definition of effectiveness used in this study stressed the socio-economic characteristics and electoral or other mandate of community councillors, their awareness of and ability to transmit the views of their population and the willingness of local authorities and other public bodies to listen to community councils. These are considered in turn.

Community councils do not reflect perfectly the socio-economic and demographic structure of their population. While they share with local government and other forms of elected government a low representation of women, young people, ethnic minorities and people with disabilities, in some respects they achieve higher levels of participation, particularly by women. The age profile of community councils is often particularly unrepresentative and some local authorities and community councils are tackling this with some success. Some others are trying to tackle the issue of minority ethnic group representation by considering how structural and other impediments to inclusion can be overcome.

The legitimacy and accountability of community councils – and hence their credibility in representing the views of their local population – is perceived by many local government officers and councillors as diminished by the low levels of interest in standing for election and the low turnouts achieved when elections take place. Some local authorities are successfully promoting higher turnouts by the use of postal ballots and in other ways. Efforts to improve interest in standing for election have been less apparent. Party political involvement would increase the publicity surrounding nominations and elections, yet the absence of such involvement is a feature of community councils that is very highly valued by all involved within community councils and in local government.

This report has shown variety in how community councils measure local opinion and in the selections they make about the issues on which to express a view on behalf of the community. Achieving a measure of local opinion may not always require a survey or public meeting and some community councils use newsletters, advice surgeries and other contact with communities of interest to gauge opinion. Co-ordinating local opinion is possibly the most difficult role community councils are expected to perform and the one on which either least guidance or conflicting guidance is provided. On the one hand community councils may be expected to provide a definitive view from a community about an issue, on the other they are expected to express the range of opinions.

Some local authorities have recently encouraged community councils to provide a justification or description of the source of their views. This is not an unreasonable imposition and helps clarify what is expected of community councils. There is a parallel

here with debates about local government: community councils are being expected by some local authorities to engage in their own process of democratic renewal to establish both a stronger electoral mandate and a more consultative approach. However, local authorities and other public bodies should be aware of:

- the rights of community councils to be selective in the issues on which they engage in systematic surveys of public opinion;
- the value of public bodies themselves engaging in surveys or other tests of community opinion if that is what is required.

The pattern of overlapping memberships of community councils and other voluntary organisations is a valuable characteristic in enhancing effective representation and promotion. This is assisted by schemes that allow direct representation and co-option and by the tendency for members of community councils also to be active in other community groups. However, some communities contain many more voluntary organisations than could be represented on a community council. Some community councils make efforts to rectify any gaps through co-option, liaison and in other ways but this is likely to be an imperfect process in many cases. Some local authorities have developed alternative processes for consulting certain communities of interest.

The evidence that community councils are generally impressed by the willingness of local authorities and other public bodies to listen to them needs to be considered along with the evidence that many feel some frustration about difficulties on particular issues or policies and occasionally with particular officers or councillors. The ways in which contact between community councils and public officials takes place in consultative structures is considered in the last section, below.

Factors that contribute to and detract from role and effectiveness

This report has identified several factors that contribute to the effectiveness of community councils in representing and promoting their communities and in contributing to public consultation. The multiple role of local authorities is the most important of these.

The evidence has shown the dependence of community councils on local authorities for finance, office services, information, support and a role in consultation. The pattern across Scotland varies and there is evidence that limited resources in some cases constitute an impediment to greater effectiveness. Recent cuts in grant levels in some areas have damaged not only the effectiveness of community councils but also their belief in local authorities' claims about the value they see in community councils or community consultation. However, the most ambitious conceptions of the role of community councils could never be fulfilled in most areas, within anything like the present roles and status of community councils. In addition, some evidence of a few community councils barely or not spending what is available to them suggests other factors at work.

No definitive prescription can be provided of how to ensure effectiveness. There are no proven links between high levels of funding and effectiveness. In a few cases though, there seems to be some association between relatively low levels of funding, negative attitudes by councillors and reluctance to involve community councils in consultative structures. In a few cases there appears to be a link between high levels of funding, positive attitudes, practices and policies from local authorities and effectiveness by community councils in being listened to. However, in most areas the policies, practice and attitudes of local authority elected members and officers are seen as good in part and poor in part by community councils, making it impossible to detect any cause and effect. This perception can change over time and several local authorities have attempted to do more to create the conditions for effectiveness recently by clarifying their expectations of community councils, providing more training and resources, and boosting the role of codes of practice.

Although community councils may regret their reliance on local authorities for financial support, few alternative funding models exist apart from central government funding,

suggested by a few, and power to levy a small tax, suggested by fewer. Important as resources are seen to be by community councils, the attitudes, policies and practices of local authorities and other public bodies are seen by many as just as important. The considerable efforts being made in this field of democratic renewal by local authorities are inevitably perceived by community councillors as more mixed in success than formal statements of policy suggest. Effectiveness is also enhanced, community councillors feel, if information is well presented, does not impose an unreasonable timescale for reply and does not all come at once. Some would appreciate having access to professional expertise – or the funds to pay for it – in addition to the clerical and administrative support that most receive. Recent training provision – largely focused on information provision rather than induction or skills training – by local authorities is appreciated by community councils. The relative absence of induction training provides a contrast with other areas of public service such as school board membership.

Wider patterns of community consultation

In contemporary moves by local authorities to renew local democracy, community councils have been seen either very positively or more pragmatically as a valuable element in community consultation. The variety in their treatment in decentralisation and consultation makes comparison across Scotland difficult, but a few local authorities provide them with a distinctive role, most see them as having the same access to the policy process as other community groups and one local authority prefers to consult voluntary organisations. Community councils are represented on many of the area committees and forums, partnership boards and working parties that attempt to develop and implement policy in specific localities.

With a few exceptions, the consensus of opinion in local government is that community councils should have no special status or role in community consultation, since all voluntary and interest groups should be entitled to express their views and play a part in civic affairs. Most community councils would agree with this analysis though some argue that the statutory basis for their existence suggests a special role.

In practice local authorities often grant community councils a distinctive role as consultees perhaps along with selected other groups. Planning control provides a unique

and distinct role and in addition, in the structures which arise from the decentralisation and democratic renewal agenda, community councils frequently appear and are sometimes the only representatives of their locality, apart from councillors, invited to participate.

While not generally being given any distinctive status, community councils can, therefore, be a convenient way of meeting local authorities' desires to engage local people in policy debates. Without community councils, many local authorities would find it hard to decide which community groups to invite to the table. With community councils, some local authorities find it easy to forget to consider whether other voluntary groups should be invited to the table.

Community councils in most parts of Scotland play an important role in civic life, extending the boundaries of public debate on many issues from the council chamber and the meeting rooms of specialist voluntary organisations to a wider, public forum. The most striking feature, though, of the way community councils fit into the wider pattern of community representation is the variety of experience found. This has been a continuous strand throughout this report: community councils defy any attempt at generalisation other than the truism that their role and effectiveness as community consultees varies throughout Scotland.

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Annex 1

Questionnaire for postal survey of local authorities

**The role and
community
with regard to
consultation**



**effectiveness of
councils
community**

**a survey of Scottish local
- part of a study for the
Government**

**UNIVERSITY
of
GLASGOW
Parliament**

**authorities
Commission on Local
and the Scottish**

Name of authority _____

Address _____

Name of person who completed this questionnaire

Mr /Ms _____

Job title _____

Tel.No. _____

Date completed and returned _____

HELPLINE

***If you need help in completing this questionnaire, please call
(0141) 330 5307/4121***

John Flint

**Department of Urban Studies, University of Glasgow
25 Bute Gardens, G12 8RS**

Please tick the relevant boxes or write as appropriate. Some questions may not apply.

Section 1 The council's scheme for community councils

1. **How many community councils are provided for in your council's scheme for community councils?**

number

2. **How many community councils exist currently (January/February 1999)?**

number

3. **Are there functioning community councils for all parts of your local authority's area?**

yes please go to Q6

no please go to Q4

DK please go to Q6

4. **What is the population not covered?**

An approximation is acceptable; please say if estimate

(a) because there is no provision in scheme number (b) community councils are in

(c) because community councils were never set up number

(d) total number

5. **Please use this space to add any further information about gaps in coverage**

6. **How many community councillors are provided for in the scheme?**

number

7. **How many community councillors are there currently?**

number

8. Can you say how many community councils actually have the full membership allowed for in the scheme?

number

9. For what period of time are community councillors elected or appointed?

please tick all that apply

one year

two years

three years

four years

other

please describe _____

10. Which of the following are used to choose community councillors?

please tick all that apply

direct election on adult (over 18s) franchise

direct election on wider franchise (including under 18s)

nomination by community organisations

co-option

other

please describe _____

If direct elections are not used, please go to Q17.

Section 2 Elections

11. Who organises community council elections?

please tick all that apply

your local authority

community councils

other

please describe _____

12. Which of the following mechanisms for community council elections are used?

please tick all that apply

(i) polling booths in places used for local government or

Parliamentary elections(ii) polling booths in other places

(iii) postal voting (iv)

(v) public meetings (vi)

please describe _____

(vii) other

please describe _____

13. What methods are used and by whom to publicise community council elections?

please tick boxes that apply

	Local Authority arranges/pays	Community Council arranges/pays	Other please describe
Local newspaper notices			
Posters			
Leaflets			
Public meetings			
Other, please outline			

14. What voting systems are used in community council elections?

please tick all that apply

- (i) voter marks an X next to the names of as many candidates as he/she wishes to vote for (up to the limit of the number of vacancies)
- (ii) voter places a number in order of preference next to the names of all candidates he/she wishes to vote for
- (iii) community council area is divided into 'wards' and electors vote on first past the post principles
- (iv) community council area is divided into 'ward vote on other principles
please describe _____
_____ (v) other
please describe _____

15. Are community council elections held on the same day as local government elections in relevant years?

- yes no
- DK

16. Can you use this space to provide any information about turnouts at community council elections?

(for example, average turnouts, variations in turnouts, any cases of high turnouts and why)

Section 3 Liaison and consultation

17. At elected member level, which committee has responsibility for community councils?

please describe the remit in relation to community councils

18. At officer level, who has responsibility for liaising with individual community councils?

please tick all that apply

officer in chief executive's department

officer(s) in other departments

please specify which departments _____

officers with area/district responsibility

please say whether located centrally or at decentralised offices

other

please describe _____

no-one

19. Does the Council have a designated community council liaison officer?

yes no

DK

20. Has the council any policy on the attendance of officers at community council meetings?

yes

Please describe _____

No DK

21. **What types of information are routinely sent to community councils?**
please describe or state if none

22. **Does the Council have a Code of Practice for the conduct of relations with community councils?**

- yes please go to Q23
- no please go to Q24
- DK please go to Q24

23. **If yes, please may we have a copy?**

- Yes
- No

24. **Is there community council representation on any committees, sub-committees or area committees of the Council?**

yes
Please describe _____

No DK

25. **Is there community council representation on any working parties, area forums, regeneration partnerships or other structures created by or involving the Council?**

yes
Please describe _____

No DK

Section 4 Resources

26. What financial support is provided by your council to community councils?

please tick all that apply

the same annual grant to all community councils

annual grant varied by population of the community council area

an annual grant varied in some other way

please describe _____

opportunity to apply for specific project grants other

please describe _____

27. How much was spent last year (1997/98) on grants to community councils?

(a) for running costs £ _____

(b) for projects £ _____

(c) for other purposes £ _____

please explain _____

(d) total £ _____

28. What other support is provided by your council to community councils?

free use of council premises for meetings

subsidised use of council premises for meeting

free use of office services (such as typing, printing)

subsidised use of office services (such as typing, printing)

training - free or subsidised places on training courses

specially organised training courses or seminars

the services of dedicated support staff

other

please describe _____

Section 5 Other information

29. Has your council a policy statement on community consultation?

- yes please go to Q30
- no please go to Q31
- DK please go to Q31

30. (If yes). Please may we have a copy?

- yes no
- DK

31. Please may we have a copy of your council's scheme for decentralisation (prepared under the terms of s. 23 of the Local Government (Scotland) Act 1994)?

- yes no

32. Please may we have a copy of your council's scheme for community councils?

- yes no

33. Is there a federation or forum of community councils in your Council's area?

- yes

Please supply details of name, contact person, address and any details of activities

- No DK

34. Please use this space to add any other information or views on the role and effectiveness of community councils with regard to community consultation. Please continue overleaf if necessary.

Checklist of material requested

- Code of Practice on relations with community councils (Q23)
- Policy on community consultation (Q29)
- Scheme for decentralisation (Q31)
- Scheme for community councils (Q32)

Thank you for taking the time to complete this questionnaire. Please check that you have filled in the details on the front sheet and that you have attached the documents we have asked for and then please return to:

*John Flint,
Department of Urban Studies,
University of Glasgow,
25 Bute Gardens, Glasgow G12 8RS, by, at latest, Friday 12 February.*

Annex 2

Categorisation of local authority areas

Scotland's 32 local authorities were ranked according to two indicators of population sparsity and categorised to achieve three groups of roughly equal size.

There are 10 local authority areas classified as 'rural'.

- Aberdeenshire
- Argyll & Bute
- Dumfries & Galloway
- Highland
- Moray
- Orkney
- Perth & Kinross
- Scottish Borders
- Shetland
- Western Isles

There are 11 local authority areas classified as 'intermediate'.

- Angus
- East Ayrshire
- East Lothian
- Falkirk
- Fife
- Midlothian
- North Ayrshire
- Stirling
- South Ayrshire
- South Lanarkshire
- West Lothian

The remaining 11 areas are classified as 'urban'. They are

- Aberdeen City
- Clackmannanshire
- Dundee City
- East Dunbartonshire
- East Renfrewshire
- Edinburgh City
- Glasgow City
- Inverclyde
- North Lanarkshire
- Renfrewshire
- West Dunbartonshire