

WHAT CAN WE DO TO HELP COMMUNITY COUNCILS FULFIL THEIR ROLE?

**ANALYSIS OF RESPONSES TO THE SCOTTISH
EXECUTIVE DISCUSSION PAPER**

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The Scottish Executive would like to thank all those who took the time to respond to the discussion paper and or attended any of the Dialogue Sessions in support of the Review.

Except where confidentiality has been requested, the individual responses are available to the public in the Scottish Executive Library, K Spur, Saughton House, Edinburgh, EH11 3XD (Telephone: 0131 244-4565)

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CHAPTER ONE - EXECUTIVE SUMMARY

Introduction

The discussion paper *What can we do to help community councils fulfil their role?* was issued in November 2005 as part of the Scottish Executive's review of community councils. This report discusses the 356 responses that were received from community councils (261), community council associations (8), local authorities (30), other organisations (21) and individuals (36). This analysis seeks to report on comments from all groups and as responses were not based on closed questions they varied greatly in depth and nature.

Chapter 1 presents background to the Discussion Paper and information about the aims and objectives of the evaluation. The chapter also provides information on the respondents who contributed to the evaluation and outlines the analysis methods utilised in the evaluation.

CHAPTER 2- FINDINGS

Chapter 2 presents the detailed findings of the evaluation, divided into seven sub-chapters based on the following themes: the legislative framework; the electoral process; diversity; getting the message across; funding, support and training; code of conduct; and national issues for a national association. Qualitative data is presented and explored and each sub-chapter finishes with a brief summary of the findings.

The legislative framework

In part 1 of the findings analysis the question of whether changes to the legislative framework under which community councils operate is explored. The analysis deals with issues surrounding the need for re-definition of the purpose of community councils, a corporate legal status and consistency between local authority schemes. While there was support for re-definition of the purpose of community councils to cover other activities, many felt clarification would be sufficient and that the current definition allowed for flexibility. Similarly while there was support for greater consistency in key elements of schemes, preference was for guidance and models over legislation. The issue of a corporate legal status, however, divided respondents.

Electoral process and diversity

In part 2 many issues surrounding the electoral process and diversity of membership are discussed. The analysis highlights a wide diversity of practices across Scotland with regard to method, publicity and frequency of elections as well as effectiveness in attaining high voter turnout and a diverse and skilled membership in community councils. There is strong feeling that there is room for improvement and that changes to election methods i.e. introducing postal voting together with improving the profile of the community council in the community would assist in improving the

electoral process and diversity. There are many examples of good practice and practical suggestions from which to draw possible solutions.

Getting the message across

Part 3 deals with the topic of effective representation of the community's views. It explores the means by which community councils canvass the opinion of the community and highlights obstacles faced by some in achieving accurate representation of community views. The section also gathers information on how community councils are themselves consulted on matters affecting the community. While there are many examples of successful communication, findings also reveal that some community councils consider that their representations can be undervalued by local authorities and other bodies or that consultations are too demanding in terms of both meeting deadlines and the use of technical language.

Funding, support and training

Part 4 of the findings looks at matters of funding, support and training for community councils. Information is presented on the various arrangements that local authorities have in place, whether as specified in the scheme or informally provided. Findings show a wide variety of arrangements across Scotland and reveal differing views as to the impact of arrangements on the ability of community councils to carry out their functions. A common concern surrounds community councillors paying for their own expenses. The issue of training divides respondents although there is strong support for increased training provision in a number of key areas related to community council functions.

Code of conduct

Part 5 provides analysis of the responses with regard to a code of conduct for community councillors. The question of whether there should be a statutory national code, a model framework or it should be left to local authority discretion is discussed, with the majority considering a statutory code necessary for reasons of legitimacy. Concerns are apparent, however, about whether the code would be deterrent to potential community councillors. The section finally asks who should have responsibility for investigating alleged breaches of the code and there is strong support for local investigation over the involvement of the Standards Commission.

National issues for a national association

In part 6 views on the role of a national association are presented. The ASCC has a mixed reputation among community council respondents with many expressing minimal contact or knowledge of the organisation. While there is strong support for a national association pursuing national issues, in consultation with community councils, there are mixed views on whether that role should be undertaken by the ASCC. Many considered that the ASCC lacks legitimacy given low membership levels of community councils or that it had limited resources to carry out its function. Nevertheless, various practical suggestions are made to improve its membership levels.

A Review of the ASCC is being undertaken separately and advice will be submitted to Scottish Ministers on this in due course.

Chapter 3 - Conclusions

Chapter 3 contains conclusions on the findings detailed in the report, highlighting key areas of consensus and difference of opinion apparent in the discussion developed in the sub-chapters. This chapter also outlines the general outcomes of the evaluation and how it meets the objectives of the discussion paper process. It also indicates how this report and findings therein will be used in the context of the next steps of the community councils review.

Annexes

Annex I contains the questions posed by the discussion paper and on which the structure of this report is primarily based. Annex II contains the list of all respondents to the paper who have not requested confidentiality. These are ordered alphabetically and by respondent category.

INTRODUCTION

Background

Community councils form the most local tier of statutory representation in Scotland. They were created by the Local Government (Scotland) Act 1973 and are intended to bridge the gap between local authorities and local communities and to help make local authorities and other public bodies aware of the opinions, needs and preferences of the communities they represent.

The 1973 Act required local authorities to introduce community council schemes for their area and gave them a fairly large degree of freedom to tailor their scheme to the particular circumstances of their area. There are currently around 1200 community councils in Scotland although some areas are not currently covered by a community council due to the fact that they only exist where volunteers are prepared to represent their community in this way.

Aims and Objectives

In November 2005 the Scottish Executive issued a discussion paper entitled 'What can we do to help community councils fulfil their role. This paper is part of a wider process of information gathering and forms a key part of Ministers' commitment to establish what steps can be taken to support community councils in their role as representative bodies for their area.

The paper did not propose specific changes to the system of community councils, but rather invited views on a number of issues which the Scottish Executive considered to be key to the effective operation of community councils.

Respondents were asked to provide factual information on the operation of the community councils system as well as to identify their views relating to key issues under chapter headings of: (1) the legislative framework; (2) the electoral process and diversity; (3) community council interaction with the community, local authority and other stakeholders; (4) funding, support and training and; (5) the need for a national association of community councils.

In conjunction with a series of dialogue events held during the consultation process, the objective of the discussion paper is to identify specific obstacles and examples of good practice and thus enable evidence-based decisions on how to help community councils to become more effective in carrying out their functions.

This report contains the analysis of the responses to the discussion paper and will be submitted to Ministers for consideration.

Respondents

The discussion paper was issued to all of Scotland's community councils, local authorities, and other organisations and interested parties. It was brought to our attention, however, that a small number of community councils did not receive a paper as intended. To enable a wider audience to participate, the discussion paper

was also available from the Scottish Executive's web site <http://www.scotland.gov.uk/Publications/2005/10/31132008/20088>. All responses were requested by 28 February 2006, although this was extended to the end of March on request.

356 responses were received in total; 6 respondents requested confidentiality. The table below details the total number of responses received by respondent category.

Table 1.1 Responses by organisation category

Category of respondent	No.
Community Councils	261
Community Council Forums/Associations	8
Individuals	36
Local Authorities	30
Other Organisations*	21
Total number of responses	356

*See annex for details

As shown in the above table 30 out of 32 local authorities responded to the discussion paper which indicates a very reasonable response rate for this particular category.

Around one quarter of all community councils in Scotland submitted a response either as a group or as an individual. It is therefore necessary to highlight that the findings presented in this report are based on the responses received to the discussion paper only and do not necessarily reflect the weight or range of views within the community council population.

Please see Annex II for details of respondents, including a list of other organisations.

Analysis methods

The nature of the discussion paper was such that the majority of questions were open questions to which all respondents were invited to comment. Some questions, however, targeted specific respondent groups for information i.e. local authorities or community councils. For these, and for a handful of other questions where it was considered appropriate, responses were disaggregated by category and analysed accordingly. Where not otherwise indicated, it should be assumed that all categories of respondent have been considered in the analysis summary.

The number of comments varied considerably by question and as responses were generally not based on closed questions they varied greatly in depth and nature. Where it was considered that value would be added to the evaluation, a 'valid' percentage is given i.e. percentage based on the respondents to a particular question rather than total respondents to the paper. The numerical classification of a response, however, only offers a crude approximation of the views offered by a

respondent. These views are explored in more depth through the qualitative analysis presented in this report.

The qualitative analysis aims to capture in more detail the concerns and issues raised by respondents, and the reasoning behind their views. A large number of responses were received, and comments on individual questions varied from one word answers to long detailed discussions. The qualitative analysis used a framework approach to identify key themes raised by a considerable number of respondents.

Structure of the report

The remainder of this report comprises the analysis of the responses received. The structure of the report broadly follows the structure of the consultation paper issued by the Scottish Executive.

CHAPTER TWO - FINDINGS

1. The Legislative Framework

Is the current definition of the purpose of community councils appropriate?

Two thirds of those who responded to this question considered the definition to be appropriate. Of those who considered changes were necessary, responses can be divided into the need to clarify the definition and the need to make changes to the role itself of community councils.

Table 1.1 Appropriacy of current definition of community councils' purpose

Response	No.	%
appropriate	174	64
clarify definition	60	22
change or expand role	34	12
other	5	2
Total	273	100

A consistently cited explanation for the current definition being appropriate is that it is flexible, and therefore can be adapted to diverse communities or provide scope for undertaking various activities.

Common themes under the category of clarification include: definition is too broad and open to interpretation; need to specify 'other purposes'; clarify community councils' relationship with other bodies; restate primary function as representative body.

A recurrent view suggesting specific changes are needed relates to the status of community councils in the decision-making process: to replace Area Committees or have a vote in them; to place a statutory onus on other bodies to accept community councils views and to give reasons where final decisions differ; to give more weight to community council views than to non-elected bodies.

Other examples of suggested changes to the role of community councils refer to specific responsibilities and powers: to own property and land; to raise precept; to have charitable status; to assist in organising or delivering public services; to have greater responsibilities regarding common good land; and to be responsible for Common Good Funds.

Is there a need to amend the legislative provisions relating to the adoption and amendment of community council schemes?

This question produced a relatively even split between views that provisions need to be amended and views that there is no such need.

Table 1.2 The need to amend the legislative provisions relating to adoption and amendment of schemes

Response	No.	%
No need	112	53
Yes	75	35
Other	26	12
Total	213	100

In both cases, however, respondents commonly felt that community councils should be consulted prior to amendments being made. Some considered that new legislative provisions would ensure more consultation is carried out whereas others thought that the current provisions were adequate as long as prior consultation continued to take place.

The most commonly suggested amendment to the provisions relates to the current requirement for local authorities to convene a special meeting to agree any changes to or adoption of a community council scheme. There was generally a view that such a requirement involved an unnecessary, time-consuming or expensive process.

Of the local authorities who responded to this question, 17 supported the need to shorten the process – almost half of the total with such views. 7, on the other hand, considered that there is no need to amend the provisions, with Scottish Borders Council commenting that the current arrangement of convening a full special meeting ensures full awareness and support for the scheme.

Another recurrent view contains the suggestion to ensure schemes are reviewed on a regular basis and, while there is support from some community council respondents for amendments to be made at a regular Council meeting instead of a special meeting, there were occasional alternative proposals including agreement at meetings of community councils themselves or at Area Committees.

Is there a need to ensure greater consistency between schemes? If so, what elements should be common to all?

Table 1.3 The need to ensure greater consistency between schemes

Response	No.	%
Yes	147	63
No	83	35
Other	4	2
Total	234	100

Responses to this question can be divided into the above two categories. However a common concern of the need to retain flexibility runs through responses in both categories. 35 of the 'no' views (42%) commented that schemes should be different

in order to reflect local circumstances. Similarly, a consistent qualification of those who answered 'yes' is that schemes must retain some flexibility.

There is very little difference between local authorities and community councils and other bodies with regard to the proportional split between views, as 60% of local authorities who responded to this question would also appear to support greater consistency in some areas, 6 of which preferring an option of good practice guidance so as to allow for sufficient flexibility. 40% do not consider a need for greater consistency.

It is exceptional that responses specified a need for full consistency, but rather a general trend to suggest one or a few specific elements which should be consistent across local authority schemes.

Highly recurrent elements included:

- Meetings – frequency, publicity, openness
- Elections – frequency, publicity, voting method, eligibility
- Funding – level, methodology

Other common elements included:

- Consultation methods
- Code of conduct and sanctions
- Provision of other support services – access to local authority services, training provision

Could this be achieved by issuing guidance or drawing up a model community council scheme or would this best be dealt with by amending the legislation?

This question sought to address the most appropriate method of achieving the desired consistency between schemes. Overall 20% of respondents considered legislation preferable, however the most common preference was for a model scheme and/or guidance to be introduced.

Table 1.4 Preferred means for ensuring greater consistency between schemes

Response	No.	%
Legislation	34	20
Model scheme	75	44
Guidance	37	22
Model&/or guidance	12	7
Other	12	7
Total	170	100

Do you foresee the introduction of multi-member wards for local government in 2007 having an impact on the working relationship between community councils and local authority councillors?

If so, what measures might be appropriate to ensure a constructive and effective relationship in the new multi-member wards?

The question of the possible effect of multi-member wards on community councils is clearly a matter for concern however responses were divided as to whether the impact would be positive or negative.

Of those who responded, there was occasionally a view that the multi-member wards will have a positive effect on the working relationship with regard to the possibility of approaching more than one councillor with a community council concern. It is interesting to note that various responses from community councils indicated that in their area they already have a multi-member ward and from these responses no negative effect was reported.

There was generally a view, however, that the introduction of multi-member wards will have a negative impact. A varied set of concerns were apparent, the most recurrent of which were that multi-member wards will entail:

- a loss of one-to-one relationships between community council and local authority councillor
- a loss of local knowledge of area
- the introduction of party politics into community councils
- problems of access to local authority councillor
- the views of rural communities being overlooked by larger urban communities
- an amalgamation of community council boundaries
- a conflict of interest between different communities

It is noteworthy that some of the above concerns relate specifically to the effect on rural communities. There were occasional examples of geographical problems of access envisaged under the new system. Two island-based community councils similarly indicated that if all of their local authority councillors will be based on the mainland it will be difficult for them to attend community council meetings and felt that mainland councillors might not fully understand island concerns.

Notwithstanding the legislation, some community councils considered that the solution would be to retain single councillor wards. Other responses, however, offered measures to accompany the new multi-member wards. A consistent suggestion to counter the envisaged problems was for each community council to have a designated local authority councillor with whom it would work. Where further details were given it was suggested that responsibilities could be divided either according to special interest or by residency. There was a common view that working protocols for effective communication would need to be discussed and agreed.

Other suggestions included:

- more contact with local authority officers to compensate
- amalgamate community councils
- change community council boundaries to fit new ward boundaries
- rural community councils could form an association and express group views so that views are not overlooked
- local authority councillors should be able to attend all, one or no community council meetings in their ward
- all community councils should be able to meet regularly with all local authority councillors
- introduce an attendance rota system

Local authority responses were also divided as to the impact multi-member wards may have on the working relationship between community councils and local authority councillors. A few reported that a system of multi-member wards was already in place and seemed to work well. Several local authorities considered there would be a positive effect and predicted enhanced opportunities for communication, while others expressed concerns about potential confusion and practical difficulties i.e. ensuring regular attendance by councillors at community council meetings.

In anticipation of the new system, many local authorities who responded to this question had considered developing protocols for effective communication between community councils and local authority councillors. Some had given thought to re-aligning community council boundaries to make them coterminous with the new wards and others intended to further consult community councils in order to develop solutions. A few considered establishing collaborative working arrangements between community councils within the area to represent a collective view within the ward.

Is there a need to provide community councils with a corporate legal status?

Of those who responded directly to this question there was a relatively even split apparent between views that community councils need a corporate legal status and views that they do not.

Table 1.5 The need to provide community councils with a corporate legal status

Response	No.	%
Yes	140	55
No	101	40
Other	13	5
Total	254	100

A consistent reason cited for there being no need to provide community councils with corporate legal status was that respondents found current arrangements to be satisfactory, with some specifying that insurance arrangements are, or should be, adequate protection for community councils. One view indicated that corporate

status was unnecessary as community councils can already set up sub-groups to get involved in matters such as land purchase and lottery funds.

There was sometimes a view that a corporate legal status would be a negative development, with concerns expressed that it would be unduly onerous on community councillors and might deter people from getting involved. One view considered that it would encourage greater litigation.

There was occasionally a view that while corporate status was not necessary it would be useful to have clarification on the current legal rights and responsibilities of community councils.

Of those who considered that provision of a corporate legal status was necessary a common explanation was that it was appropriate with the increase of litigation in society. Furthermore it was sometimes considered that the lack of status and fear of being sued was a deterrent to potential community councillors or has been a reason for former community councillors stepping down. Several responses from community councils referred to having previously experienced worrying legal situations.

Various responses referred to particular practical reasons for the need for a corporate legal status: it is considered useful as community councils are involved in e.g. creating assets, owning property, administering grant funding and making representations in local planning issues. There was occasionally a view that the status would enable community councils to broaden their community development activities, to manage funds and assets and to enhance their status.

Occasional views expressed a preference that any change ought to be optional rather than compulsory and one local authority stated an intent to pursue legislative change which would give community councils this choice to have corporate legal status.

Any other general comments on this chapter would be welcome

Although many of the comments provided here repeated answers given to preceding questions there were several recurring views which were not previously raised.

One of these was a concern about standardising the way local authorities relate to community councils and the need to take differences between urban and rural community councils into consideration when introducing new procedures.

A common view expressed here was that the legal status of community councils in the planning system should be improved.

Summary

- There is some support for greater consistency between schemes particularly with regard to meetings, elections and funding arrangements
- There is significant support for non-legislative measures such as guidance and models which allow flexibility between areas to be retained
- The introduction of multi-member wards is a concern for many community councils
- The question of corporate legal status is divisive as to whether it would protect/deter community councillors

2a. The Electoral Process

How frequently are elections carried out in your area?

Out of the total responses, 19 were from local authorities. The following table provides a breakdown of how frequently elections are carried out as indicated by local authority responses:

Table 2a.1 Current election frequency

Response (local authorities only)	No.	%
4 years	14	48
3 years	9	31
Community Council determines	3	10
2 years	1	3
either 1 or 2 years	1	3
either 3 or 4 years	1	3
Total	29	98*

* Percentages do not all add up due to rounding

Analysis by area showed that the majority of community councils who responded to this question held elections according to the duration specified by their local authority. However, responses given by a minority of community councils differed from the frequency indicated by their local authority.

An occasional community council respondent was unaware of how frequently elections were held.

Should duration between elections be prescribed? If yes, what should this period be?

Respondents were also asked to comment on whether the duration of elections should be prescribed and what would be an appropriate duration. The tables below outline the responses.

Table 2a.2 Whether duration between elections should be prescribed

Response	No.	%
No	18	7
Yes - no duration suggested	23	9
Yes - duration suggested	210	84
Total	251	100

Table 2a.3 Suggested duration between elections

Response	No.	%
Annual	9	4
2 years	8	4
2-3 years	4	2
3 years	56	27
3-4 years	14	7
4 years	98	47
5 years	6	3
Other duration	4	2
Rolling elections	11	5
Total	210	101*

* Percentages do not all add up due to rounding

Of those who responded that election duration should be prescribed, occasional preferences were expressed regarding whether there should be uniformity across Scotland or within the local authority area.

Various justifications were offered for the suggested frequency. The following were reasons offered for 3, 3-4 and 4 years frequency which together constitute 81% of the total suggestions:

- to allow familiarity with work of community council
- to develop good working relationships between community councillors
- to develop a relationship with the local authority
- to enable continuity
- any greater frequency would involve high costs
- to initiate and complete projects

Reasons cited for a more frequent duration or for rolling membership included:

- to enable continuity
- to allow input of new skills
- to ensure new ideas and energies
- 4 years is too long and may discourage people from standing

Are community council elections in a local authority area generally held on the same date? If not, do you think there would be any benefit in doing so?

Local authority responses were considered in isolation for the first part and these responses are outlined in the table below.

Table 2a.4 Whether currently hold community council elections at same time

Response (local authorities only)	No.	%
Already hold elections at same time	17	57
Do not currently hold elections at same time	8	27
No answer given	5	17
Total	30	101*

* Percentages do not all add up due to rounding

Of the 17 local authorities who stated that elections were held around the same time in their area, some did not give further comments on the experience of holding elections on the same date. The following comments were made, however:

- it raises community council profile
- a national election day would be even more beneficial
- it allows for joint advertising which reduces administrative costs

Of the 8 local authorities who responded that elections were not currently held at the same time in their area, the following comments were made:

- a common date might raise community council profile
- a joint publicity campaign might be beneficial
- it would allow training to be delivered to community councillors as soon as they are in post
- it would remove flexibility which facilitates the election process for individual community councils
- it would entail significant resource implications
- it would place too great a demand on staff

Community councils were divided over whether there would be benefits in having a common election date. However, of those who confirmed that elections were already held on the same date, comments were universally in favour of this arrangement.

Some community councils from areas where elections were not already on the same date felt that it would be beneficial. The following were recurrent explanations:

- joint publicity would increase voter turnout
- community council profile would be raised
- it would be cost effective and increase efficiency in use of electoral staff
- it would add validity to the election process

Of these, some expressed an interest in a national community council election day and there were both calls for having the elections at the same time as local authority elections and views that this should be avoided.

Some community councils considered that it would not be beneficial to hold elections at the same time, with the following reasons commonly cited:

- it could politicise community councils
- it would complicate or confuse the election process
- it might deter people from standing if whole process was too formal and legislative
- there would be no obvious benefit from doing so

By what method are community council elections held in your area?

Local authority responses are considered in isolation and these responses are outlined in the table below.

Table 2a.5 Current election methods

Response (local authorities only)	No.	%
Postal ballot	9	45
Mixed methods/community council discretion	6	30
Ballot box	4	20
Show of hands at public meeting	1	5
Total	20	100

In some local authorities, specific arrangements are defined in their community council schemes whereas in others community councils are given discretion as to the method by which they conduct their elections.

One local authority which has introduced postal voting sends each household a voting card and a pre-paid envelope. In other areas, it appears that voters may request a postal vote but are not sent a card by default.

In addition to specifying the above arrangements, a recurrent comment from community councils to this question was that elections were rarely needed.

What steps has your local authority taken to implement the McIntosh Report recommendation to improve electoral arrangements for community councils?

The McIntosh Report (1999) recommended that local authorities address improvements in electoral arrangements for community councils, including the use of postal ballots and electronic voting. The report also recommended that consideration be given to extending the vote in community council elections to 16 year olds.

Around half of the local authorities who responded indicated that they had taken the step of introducing provisions for postal voting after the McIntosh Report. Some of these included other measures taken alongside postal voting e.g.

- lowering the voting and membership eligibility age to 16
- common election time
- e-voting

- fulfilled the majority of recommendations
- raising the profile of community council activities
- use of accessible voting venues e.g. supermarkets

Some local authorities responded that they have reviewed or intend to review their schemes in the light of the Report. One of these local authorities reported that their review revealed no appetite for postal voting. One local authority reported that it had considered the introduction of postal voting and another of postal and electronic voting: both, however, rejected their introduction on the grounds of costs and staffing implications.

There was generally a view expressed by community council respondents that either they were unaware of the recommendations contained in the McIntosh report or they were unaware whether the local authority had taken any of the recommended steps.

A recurrent response to this question from community councils was that local authorities had introduced postal voting. Some community councils commented that the local authority had taken steps or improved arrangements but did not specify further. Other examples of steps included:

- publicity for community council elections
- suggested good practices
- increase in annual grant
- allowing under-18s to be co-opted
- introduction of e-voting
- common election day
- reviewed scheme

There was an occasional comment that the local authority had ignored community council preferences and had not introduced improvements after reviewing its scheme.

To what extent did these changes increase voter turnout?

Most of the comments received to this question made reference to the effect that introducing postal voting had had on voter turnout. The majority of local authority responses reported that postal voting had increased voter turnout in some community council areas. Community council responses were divided between those who had noticed an improvement as a result of postal voting and those who considered it had not had a significant effect.

Some of the figures presented as evidence showed a substantial level of improvement i.e. turnout increases of 50%, 80% and 100%. Other figures referred to actual turnout levels before and after the use of postal voting i.e. from 10% - 40%, 10% - 44% and from 7% to 32%. In only one case did turnout figures indicate a negligible change i.e. a rise from 1% - 2%.

What other lessons can be learned from previous elections in seeking to improve voter turnout?

Responses to this question fell into two main response categories: election arrangements and community council profile.

Consistent views were that postal voting had had or would have a positive effect on improving voter turnout. There was also the occasional view that electronic voting would assist in this aim. Other suggested methods included ensuring that all households are sent postal ballot papers by default and ensuring that polling stations for traditional ballot box voting are in convenient locations and at convenient times. An exceptional view was expressed that compulsory voting be introduced.

There was a recurrent view that community council elections required greater publicity in order to improve turnout. Suggested means included the use of press releases, posters, leafleting, newspaper and radio to publicise the election. Various responses suggested that candidates' profiles should be publicised. Occasional responses indicated that community councils should be provided with an increased budget so as to better publicise the elections, whereas others felt that local authorities should take more responsibility to publicise the elections or proposed a national advertising campaign led by the Scottish Executive.

There was a consistent view that turnout would increase were the community council's profile in the community raised. There was sometimes a view that voter turnout was a direct consequence of the local perception of community council effectiveness. It was sometimes suggested that the local authority needs to take the views of community councils more seriously or that community councils should have greater responsibility and powers. Others expressed the need for community councils to be more proactive in engaging with their residents and for either the local authority or community council to do more to publicise its activities throughout the year.

There was an occasional view that the first problem needing to be addressed was the problem of getting people to stand and that contested elections would in turn produce a higher turnout of voters.

What can be done to encourage more people to stand as community councillors?

Responses received to this question were similar to some of those received in response to the previous question, suggesting that the two issues may have comparable elements.

The following were recurrent suggestions:

- local authority should take greater account of community council views
- community councils should have greater responsibility and powers
- more pre-election publicity is needed
- frequent publicity of community council activities
- pay appropriate expenses or small salaries to community councillors

- resource community councils so that they can become more effective

Some community council respondents believed that other people viewed the community council as a powerless ‘talking-shop,’ and suggested this as a reason for the difficulty in recruiting new members to the organisation.

Another recurring view from community council respondents was that people tended to have an interest in becoming a community councillor only when there was a specific issue in which they wished to become involved. Some indicated that this interest often disappeared along with the issue and therefore retention of members was a problem.

One local authority area organises an annual ‘Community Councils Uncovered’ evening to publicise community councils and to discuss the role of a community councillor etc.

What is done in your area to publicise elections and how effective has such publicity been?

Publicity methods were generally one or a combination of the following methods:

- posters
- leaflets
- websites
- adverts in local media
- word of mouth

Table 2a.6 Election publicity methods

Response	No.	%
Combination of methods	128	59
Posters only	11	5
Leaflets only	3	1
Adverts in local media/newsletters only	50	23
Word of mouth only	4	2
Website only	0	0
subtotal	196	
Little	14	6
None	8	4
Total	218	100

Various locations are used by community councils for posting notices of elections. The following were regularly mentioned: local shops, post offices, pubs, libraries.

No response indicated that websites were the only method used for publicity, however 11 responses indicated that websites were used in combination with other methods.

Some local authorities had undertaken various publicity initiatives to improve turnout.

- Q&A leaflet informing people of what community councils do (Scottish Borders)
- Poster campaign, radio advertising and helpline for interested enquirers (West Dunbartonshire)
- Information packs sent out to people enquiring about being a community councillor (East Renfrewshire)
- Public meeting held by local authority councillor to raise pre-election awareness (Scottish Borders)

Of the 196 responses that specified the publicity methods used by community councils in advance of their elections, 90 commented further on how effective they considered the method(s) to be in encouraging voter turnout at elections. Analysis showed that while 30% rated the publicity either effective or quite effective, 70% considered it to be ineffective.

Table 2a.7 Effectiveness of election publicity.

Response	No.	%
Effective	16	18
Quite effective	11	12
Ineffective	63	70
Total	90	100

The following were sometimes offered as reasons for publicity not having been effective:

- public apathy
- few people are now interested in volunteering
- performance of community council is instrumental in attracting interest
- perception of community council powers is instrumental in attracting interest
- there is public ignorance about community councils do
- community councils/local authorities should be more active in promoting elections
- community councils need more money to improve promotion

Any general comments on community council elections would be welcomed

General comments here reinforced various comments made to preceding questions on elections. One common view was that the election process was important and would either ensure greater transparency, reduce cynicism or make the community council more robust.

Various suggestions as to how to improve the election process were voiced, generally reflecting the suggestions made in response to previous questions. The most common suggestions were for (a) greater help from the local authority with publicity; (b) publicising CVs for potential community councillors and; (c) holding simultaneous elections with other community councils.

Summary

- Elections are held at different durations, according to a variety of methods and publicised by various means and degrees
- Postal ballot is already in use in some areas and is considered to have a positive effect on voter turnout
- There is much support for greater publicity and a concern to improve the election process and voter turnout

2b. Diversity

Does your local authority's community council scheme provide for co-option?

Local authority responses are considered in isolation. Evaluation indicated that of the 30 local authorities who contributed to the discussion paper, co-option was permitted throughout with the exception of Orkney Islands and Glasgow City Council. In Orkney co-option was discontinued in 1994 and in Glasgow, community councils may instead have non-voting Advisory Members and Delegate Members from local organisations.

In all other areas co-option is permitted, however responses suggested that rules of co-option varied between areas. The main areas of difference are with regard to (a) the permitted upper limit proportion of members allowed to be co-opted i.e. up to one third or one quarter of total members, (b) whether co-opted members have full voting rights and (c) whether special provisions have been made for youth co-opted members i.e. under 18s or under 16s.

If co-option is allowed, to what extent have community councils embraced this and where they have, how successful has it been?

This question is covered by responses to subsequent questions. However indications given here were that co-option had been embraced to a very large extent, mainly for filling vacancies but also for bringing expertise on board. The majority of comments from all respondents suggested that co-option had been successful, although some negative experiences and reservations were expressed. The following are examples of such experiences and concerns:

- co-opted members can be poor attendees
- youth co-opted members in particular have been unsuccessful
- it is undemocratic; it leads to cronyism; it has been used to keep candidates out
- it can be used as platform before local authority elections
- it entails short-lived success
- it would be more effective if co-opted members had full voting rights

How effective is co-option as a means of widening access to people who might not otherwise become involved in their community council?

There was a recurrent view that co-option was indeed an effective means of widening access to people who might not otherwise become involved in their community council.

The following are consistent explanations for this effectiveness:

- it allows people to get involved who do not have the time to be fully involved
- it involved people who may be uncomfortable standing for election
- it opens up longer-term membership as those co-opted often become full members
- it is useful for involving community groups

One community council commented that it had used co-option 'to broaden ethnic participation.'

There was sometimes an opposing view that co-option had limited effectiveness in widening access. The following reasons were given:

- there is limited incentive for people to join as co-opted members are not allowed to vote
- co-option has not been used for this purpose
- many groups are shy of getting involved
- co-opted members tend to be already involved with community council

There were some concerns raised as to the risk that co-option might be open to abuse. Various respondents indicated that there was the possibility of cronyism and rather than widening access may narrow the range of those involved. Some respondents also pointed out the danger that co-option may be used as a means to avoid the election process.

As there are two key interpretations of 'widening access': (a) to involve under-represented groups; (b) to involve individuals who for whatever reason would not otherwise become involved, where no explanation is given for a response it is unclear to which one (if not both) a particular response refers.

Have you any experience of using co-option as a means of harnessing specific knowledge or expertise on either a long term basis or for a specific task?

Responses indicated that many community councils have had experience of using co-option as a means of harnessing specific knowledge or expertise.

One of the most common forms of co-opted expertise appeared to be related to planning and development issues.

Other recurrent examples of co-option included harnessing expertise on:

- local environment and conservation projects
- running of youth facilities and projects
- Health service matters
- roads, traffic and transport
- fundraising and campaigning
- website development and management

Specific examples where people have been co-opted for their knowledge on a particular issue included:

- former local authority officers for their knowledge of local authority personnel and procedures
- manager of the local Travelling People's site for increased knowledge and co-operation
- former policeman to look after the Neighbourhood Watch Scheme

Of those responses that answered that co-option had not been used to harness specific knowledge or expertise, a recurrent reason given was that there had been no need to do so as:

- local authority gives expertise when needed
- manage with expertise within community council
- have occasionally sought advice outside the community council on an informal basis
- have set up sub-committees or working groups which harness expertise of non-members without co-option
- this is encouraged by the nominated member process

One respondent welcomed the method of co-option because community councils cannot afford professional representation or advice. Another respondent raised the point that it might be useful to be able to co-opt unlimited members for specific short tasks.

What steps have community councils taken to implement the recommendation contained in the McIntosh Report that community councils do more to involve young people and how successful have such efforts been?

Responses received to this question can be categorised first by (a) no steps taken; (b) efforts successful; and (c) efforts unsuccessful.

Where no steps have been taken, comments included a feeling by community councils that young people would not be interested in joining a community council whether for reasons of having other commitments and interests or because they would be deterred by the organisation's lack of effectiveness or power. It was sometimes said that although no specific steps had been taken to encourage young people to become full or co-opted members, where matters of specific interest have arisen young people have been invited to come and give their views.

Where steps have been taken without success, commonly cited reasons included:

- schools have been approached but no interest from pupils
- they leave for university or college commitments
- they comment that the process is boring
- they are discouraged by the lack of progress

Some local authorities have developed specific provisions to encourage greater involvement of young people by, for example, allowing under 18 year olds to become full members, or extending co-option to people as young as 14, or setting aside nominated places specifically for youth representatives.

There are recurrent examples of successful involvement of young people. Some of these are characterised by the community council having recruited young people onto the community council, either as full members, co-opted members or nominated representatives. Of these, it is occasionally stated that the involvement of the young

person has improved communication between the community council and young people from the community or that it allows youth concerns to come to the fore.

Other examples of successful involvement of young people included:

- creation of youth group by community council
- youth issues are a standing item on the community council meeting agenda
- young people have taken part in consultation workshops
- community council representative attends Community Learning Network to learn about what young people are interested in
- assisting with youth projects e.g. supporting a skateboard park development and raising funds
- primary school involvement in gala days and floral enhancement projects

The children's charity, NCH considered that reaching minority youth groups is a neglected area, including [lesbian, gay, bisexual and transgender \(LGBT\)](#), [black and minority ethnic \(BME\)](#) and young people with disabilities. The organisation considered that representation of these groups should not be limited to co-option as it might risk tokenism, but rather encouragement is needed to involve participation as full members on community councils. NCH suggested the use of young-people-friendly publicity material, including but not exclusively the internet and email, to communicate information about community councils to young people.

Any general comments on this chapter would be welcome

Many of the comments here repeated those made in reference to preceding questions. Other comments received included one from a community council which suggested that a community council should seek to be representative by proper consultation procedures rather than by co-option. Another comment from an NHS Trust indicated that it would be helpful to know how representative community councils are, so that views from other sources can be sought where appropriate.

Summary

- Co-option has been widely used by community councils to harness expertise
- Co-option has been used to some extent to widen access to people who would not otherwise join the community council
- There are some concerns that co-option may be open to abuse
- There are many examples of good practice in involving young people on community councils, however there is concern that this is a difficult task

3. Getting The Message Across

What methods do community councils use to establish the views of the community?

This question aims to gather information on the variety of methods employed by community councils across Scotland to consult with their communities. Responses indicated that the vast majority of community councils use a combination of consultation methods. The most consistently cited were:

- public attend open meetings
- word of mouth; personal contact with residents
- use of local press
- community council (or other) newsletters

Other common methods mentioned included:

- communication with other community groups and associations (some responses indicated that community council representatives were often members of other organisations)
- special topic public meetings
- leaflets and notices
- suggestion boxes
- website and email
- surveys and petitions
- consultation events and workshops
- local radio

Occasional responses made mention of only one method used by the community council, usually personal contact with residents.

One community council respondent made reference to the [e-community councils](#) ¹ project piloted in Stirling and considered it to be a useful two-way [information and communications technology \(ICT\)](#) tool.

How can local authorities and other public bodies determine whether the views expressed by community councils are genuinely representative?

It was occasionally commented that this was a difficult task, however the majority felt that there were means to determine how representative community council views were. Disaggregation of this question by response category e.g. community councils, local authorities and other bodies does not produce vastly different kinds of responses. Respondents overall shared similar concerns and suggestions.

A recurrent view across responses is that the election process itself should act as a control:

¹ The Scottish Executive funded the [e-community councils](#) project involving 6 community councils in the Stirling area. The 2 year project ended in January 2006 and is currently the subject of a separate evaluation.

- as long as ensure that community councillors are properly elected in the first place
- local authorities should trust community councillors as they are democratically elected
- the electorate can express their dissatisfaction through the election process

Various community councils responded that the problem of determining genuine representation is encountered at all levels of elected representation.

Practical suggestions were made as to how local authorities and public bodies can ensure views are representative:

- by attendance of local authority councillors at community council meetings
- by monitoring documents providing evidence of community views e.g. letters, emails, minutes, surveys
- by carrying out own consultations in community and comparing these views to those expressed by community council
- by providing community councils with more resources and time to enable better consultation
- by monitoring any letters of complaint from public

Do you have any other general comments about how community councils can ensure that they accurately represent the views of their community?

This question is an extension of the previous one, seeking views on what community councils could do to ensure that they represent the views of the community as accurately as possible. The following suggestions had regard to practical solutions for communicating with a greater number of people in the community.

- hold open meetings and encourage attendance
- issue questionnaires
- host Q and A sessions
- set up email address and website
- use local newspapers and notice boards to inform community of issues
- newsletters
- suggestion boxes
- produce summaries of consultation papers to distribute within community
- stand-alone touch-screen terminals
- carry out joint consultations with community planning partners

Two of the most common concerns expressed by community councils are:

- a need for professional guidance in conducting consultations
- a need for increased budget to put towards consultation solutions

Other concerns raised with regard to obstacles faced by community councils in this task include:

- consultation deadlines limit possible canvassing of opinion

- lack of appropriate places to post notices in area
- difficulty in rural communities to have easily accessible meetings
- consultation by questionnaires etc is labour intensive

Other than where there is a statutory duty to do so, how do community councils and local authorities decide which issues community councils should be consulted on or indeed be involved in the decision-making process?

This question elicited a wide range of responses. Commonly cited responses included:

- local authority decides alone
- community council not involved in any decision-making process
- involvement is arbitrary; erratic
- community council is consulted on everything
- community council is usually consulted on issues affecting the area
- local authority councillors ensure community councils are aware of relevant issues
- individual local authority departments ensure community councils are aware of relevant issues
- community council makes representation to local authority on issues in which it wants to be involved

Examples of specific practices mentioned:

- all local authority papers are circulated to community councils
- dialogue with community councils at Area Committees; Area Forums; Community Council Forums; Community Participation Committees; Local Development Committees
- community council liaison office sends out the relevant documents
- all work to a code of practice for exchange of information
- weekly list of planning applications issued from which community councils can decide which ones to get involved in
- community council uses SE Consult
- Angus Council has a 'Have your Say' database with details of most local authority and other bodies' consultations

On disaggregation of the responses by local authority area there appear to be significant differences between responses from the same area as to how it is decided which issues community councils are consulted upon. Differences are apparent between local authority and community council responses and also between individual community council responses.

Do community councils feel that local authorities provide them with adequate opportunity to comment on matters affecting their area? If not did they raise this with their local authority and what was the outcome?

Some community councils expressed a view that local authorities did provide them with adequate opportunity to comment on matters affecting their area. Comments included: there had been a vast improvement in recent years; they had excellent

communications with the local authority; it was often the local authority councillors who relayed community council views back to the local authority.

However, the majority of responses to this question indicated that community councils were not provided with adequate opportunity to comment on matters affecting their area.

The most common concern related to not having enough time i.e. that deadlines for submitting comments on consultations were difficult to meet; too little time to consult the community meaningfully; consultation took place too late so the community council could only adopt a reactive rather than a proactive approach.

Another recurrent concern indicated a feeling that community councils were not being genuinely consulted i.e. that the local authority had already made decisions before consultation or that community councils views were often ignored.

Of those respondents who indicated that they had raised concerns about this issue, differing outcomes were reported. Some views were expressed that concerns had been ignored once raised and some comments were made that the local authority was flexible in allowing for time-extensions on request.

Are community councils suffering from consultation overload and if so, what can be done to reduce the burden on them?

Evaluation of the responses to this question indicated that a slight majority considered that community councils were indeed suffering from consultation overload. Of these, a proportion felt that overload was only sometimes a problem.

The main concern with regard to consultation overload appeared to be related to time pressures, i.e. that community councils did not meet regularly enough to discuss each document and deadlines were too tight to allow them to seek feedback from their communities. One respondent stated overload is not aided by the fact that community councils did not receive enough copies of papers for each member.

With regard to the amount of consultation there was sometimes a view that the Scottish Executive or other bodies sent out too much consultation whereas the local authority did not consult enough. There was also a view that community councils were often asked to comment on issues which are not relevant to their particular community.

Of the responses that indicated that community councils were not suffering from consultation overload, some felt that they suffered instead from consultation *underload* i.e. that they did not receive enough requests for consultation on relevant issues affecting their community. A recurrent comment from community council responses in this category was that they would prefer to be consulted on everything and then be able to select which ones are of relevance.

Across both categories can be found examples of the view that consultation was not always meaningful i.e. that community councils received 'information' rather than 'consultation' or that decisions were made prior to consultation. Other comments

that crossed categories were that deadlines were too tight and the technical language of some documents was difficult to understand.

Many practical suggestions were suggested with regard to what could be done to reduce the burden of consultation overload including:

- ensure consultations were available in electronic format
- produce and send summaries of documents in less technical language
- set up community council sub-committees to divide workload
- groups of community councils could submit joint responses
- community councils give local authorities a list of areas on which they wish to be consulted
- allow greater response time

Various responses developed the idea of electronic means of consultation. The e-community council pilot project in Stirling was mentioned as a useful 2-way consultation tool. One community council responded that they made good use of the Scottish Executive's consultation information service SE Consult and a local authority response indicated that it was creating an e-list of 'what's new' giving community councils the opportunity to request a consultation either electronically or in hard copy.

Has your local authority any systems or process in place to assist community councils to respond to fairly immediate requests for information/consultation papers e.g. oral requests for information?

This question elicited a number of responses which indicated that there were either formal or informal systems in place to help community councils respond to fairly immediate requests for information or consultation papers.

As was the case for other questions, the use of electronic communications was prevalent in comments. It would appear that many community councils and local authorities communicate by email with responses to consultation papers often accepted by electronic means or by online submissions. Telephone is also used in some cases, with the local authority contacting community council representatives direct where necessary.

Community councils in two local authorities have been provided with laptop PCs and internet access by the local authority to facilitate e-communications.

In some other local authorities community council contact details are published on the council website for use by internal departments or other agencies to contact community councils direct.

In many cases, reference was made to a specific contact point within the local authority for use by community councils in such requests. Usually this is a designated officer, however in some cases this contact is a Community Councils Resource Centre (Glasgow) or Access Office (Angus).

There was sometimes a view expressed that having such a system would be impractical, may be open to abuse, or that quick answers would not reflect the considered view of the community.

Views would be welcomed on whether there are any other areas of activity whereby local authorities should be obliged to consult community councils?

Where areas of activity were mentioned the most common response received was alcohol licensing applications.

Of these responses that made specific mention to licensing, 64 considered that community councils should be statutory consultees on licensing issues, and 22 considered that the current arrangements regarding licensing applications were satisfactory.

Within this latter group, reasons offered included that community councils were already consulted on all licensing applications or already had adequate opportunity to comment. An occasional view was expressed from a community council respondent that the community council had no wish to be involved in licensing applications. There were occasional concerns raised about whether community councils would have the time to deal with licensing applications in addition to planning.

After licensing the most recurrent view as to on what community councils should be consulted was 'anything affecting the community.' A number of other areas of activity were specified as additional areas for statutory consultation:

- public processions
- changes to local services
- works licenses
- sales of local authority land
- late hours catering licenses
- heritage
- major road works
- education
- environment
- housing

If yes, should these be formally specified or is this best left to local authorities to determine in consultation with community councils?

Not all respondents who provided an answer to the previous question gave a view as to whether formal specification was necessary or whether it should be left to local authorities to determine in consultation with community councils. Responses provided to this question were divided as follows:

Table 3.1 How to determine areas of activity on which community councils should be consulted

Response	No.	%
Formally specify at national level	49	48
Leave to local authority to determine with community councils	45	44
Leave decision with local authority	9	9
Total	103	101*

* Percentages do not all add up due to rounding

What bodies, besides local authorities, do community councils engage with on issues of local concern?

From evaluation of the responses, community councils engage with a wide variety of bodies including:

- Police, Health Boards, fire departments, rescue services
- energy, water, telephone suppliers
- rail networks, taxi associations, ferry providers, bus companies, airports, travel boards
- BEAR, SEPA, Historic Scotland, Scottish Natural Heritage, Scottish Enterprise
- Rural Scotland, Rights of Way, Scottish Woodlands, Deer Commission, National Parks, Forestry Commission
- local businesses, social organisations, community groups
- Scottish Executive
- school boards, PTAs

In general community councils engage with a few or many of the above. A highly recurrent practice reported was the attendance of local community police officers at community council meetings.

Is this engagement direct or via the local authority?

Responses suggested that the most common form of engagement is direct between community councils and these bodies, although there were some examples of indirect communication via MSPs, local authority councillors or community council forums and associations.

How effective has this engagement been and have there been obstacles which have had to be overcome?

A mixed response was received to this question, ranging from views that engagement had been effective or valuable to views that engagement had not been very successful.

Some responses where engagement was considered effective commented on specific successes e.g. it produced informative feedback, allowed for mutual

exchange of information and assistance, and enhanced the status of the community council.

Some community council responses referred to particular difficulties they had experienced. These examples in conjunction with other comments indicated a common feeling that community councils representations carried little weight or that engagement was on issues which were *faits accomplis*.

Various respondents felt that some bodies were more responsive than others and consequently considered that effectiveness of engagement was mixed.

Are community councils involved in the Community Planning process in your area?

Community council responses are considered in isolation. From evaluation of these responses it would appear that community council engagement in the Community Planning process has varied greatly in terms of both extent and effectiveness of involvement. Of the 261 total community councils to respond to the paper, 191 answered this particular question.

125 (65%) community councils clearly indicated some form of involvement in the process with many stating that they are involved indirectly or peripherally e.g. through a community council forum or network. 47 (25%) community councils indicated that they were not involved in the process. The remaining 10% of comments gave unclear indications as to involvement.

Of those community council respondents who were not involved, the most recurrent comments were that the community council not aware of Community Planning process, was not involved yet but wished to be involved, or that it preferred direct contact with relevant bodies. It was occasionally expressed that the value of the process was far from clear.

Is engagement in the Community Planning Process an effective means by which community councils can engage with bodies such as the police, the NHS, etc.?

From community council responses there was sometimes a view that the Community Planning Process was an effective form of engagement, that the community council was well-represented or that the role of community councils in the process was fully recognised. It was occasionally reported that the effectiveness was too early to be judged as the process was still in its infancy.

Other community councils reported more disappointing experiences. Some felt that there was a tendency to exclude them from the early stages of community planning. It was a recurrent comment that community councils should be given greater influence in the process or that the views of other non-elected bodies were given greater weight than those of community councils. One community council was concerned that the Community Planning Process might dilute any individual representations made by community councils.

Any general comments on this chapter would be welcome

The most common strand in the comments received here is a feeling that community council views are ignored in the decision-making process.

Summary

- There are numerous methods used by community councils to establish the views of the community
- There are concerns over deadlines and limited resources preventing accurate representation of the community views
- There is some concern that community councils are not receiving appropriate consultations, that deadlines are restrictive and document language too technical
- There was strong support for statutory consultation on licensing applications
- Engagement with other bodies has mixed effectiveness with some feeling that community councils views carried little weight and more feedback would be beneficial

4. Funding, Support And Training

What methodology is used to determine funding for community councils in your area?

Local authority responses are considered in isolation and together presented a mixed set of methodologies for determining community council funding as outlined in the table below:

Table 4.1 Funding methodology for community council grants

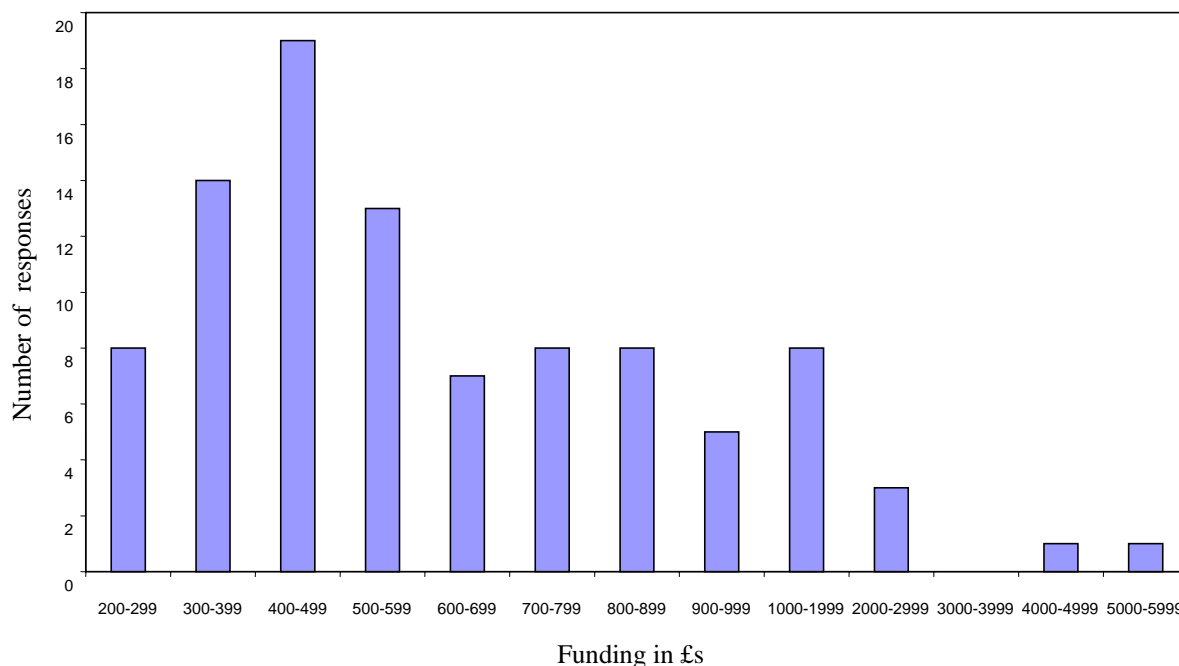
Response (local authorities only)	No.
basic sum plus per capita element	9
basic sum plus per elector element	9
population bands e.g. <1000, 1000-2000	3
amount per capita only	3
amount per elector only	1
basic sum plus additional amount if electorate >2000	1
basic sum plus additional amount per member if community council > 7 members	1
Total	27

What funding does your community council receive from the local authority?

Analysis of responses to this question has been drawn from the community council responses only. 93 community councils gave either an exact or approximate figure of the basic funding they received from the local authority.

Responses indicated that basic funding ranged from £230 to £5585. This produces an average community council grant of £730 (mean average) or £540 (median average). See graph below for spread of responses.

Graph 4.1 Basic Annual Funding received by Community Councils



There are two clearly extreme values above £4000. It is worth noting that both these responses came from community councils in Orkney, where funding, at an average of £3363.77, is much higher than in other local authority areas. Community councils in Orkney, however, have additional roles and responsibilities, mainly in the administration of various public services for which they receive funding e.g. maintenance of burial grounds.

In addition to basic funding, many respondents made reference to other grants for which they could apply. In most cases these grants were administered by the local authority. Specific grants mentioned included:

- neighbourhood improvement grants
- pathways maintenance grants
- challenge fund
- local priorities scheme
- transport grants for island communities
- grants for attending community council forum meetings
- special project grants
- internet grants

What support services are available to community councils in your area?

In total 25 local authorities responded to this question and together their answers gave an indication of the range of support services provided across Scotland to community councils. The most commonly mentioned support services were:

- meeting accommodation – limited free lets of Council premises; financial assistance for hiring non-Council property

- photocopying and printing – sometimes free; often at internal rates
- advice and training
- insurance
- access to Council facilities – use of computers at libraries etc.

Two local authorities mentioned that they supported community councils by the provision of IT equipment and one local authority intends to provide internet-enabled PCs to its community councils in the future.

Other support services included payment of election costs, payment of ASCC membership and distribution of community council agendas and minutes. Also stated were a free banking service, a free part-time clerk for each community council and assistance in applying for local funding.

Community council responses to this question repeated many of the above examples of support services. However, over one third of those who responded here stated that they received no or were unaware of any support services. Such responses came from community councils from across 18 local authority areas.

Various community councils mentioned that other organisations provided them with assistance i.e. free meeting rooms and cheap photocopying.

A recurrent view was expressed that although council facilities and/or resource centres were made available, these were often located too far away to make use of. Examples included a 22 mile round trip and a 33 mile single trip to the nearest centre. The time, cost and distance were said to be prohibitive by some community councils.

Does the level of funding require you to meet any of your day to day running costs by other means?

Analysis of responses to this question have been drawn from community council and community council forum responses only. The majority of community councils who commented considered that funding was indeed adequate for meeting community council running costs. Some of these added, however, that this was only possible because community councillors did not always claim travel and administrative expenses.

It was sometimes expressed that funding did not meet the running costs and where this was the case the most common means of meeting these was said to be through community councillors' personal subsidies i.e. by not claiming expenses or by paying for photocopying, internet connections themselves. Other ways of meeting running costs included:

- donations from residents
- fundraising activities: e.g. raffle, fete, Christmas party, coffee mornings etc.
- relying on income from a photocopier placed in local library
- application for lottery funding
- selling advertising space in newsletter

With regard to fundraising, some comments were made that fundraising had limited potential in a small community, that there is no time for fundraising, that the required skills are not always available, and that community councils should not have to fundraise to meet running costs.

Does the level of funding or support services impact on your ability to carry out your functions?

Analysis of responses to this question have been drawn from community council and community council forum responses only. There was a high level of response to this question and a relatively even divide between those who felt the level of funding and support received by the community council did have an impact on its ability to carry out its functions and those who indicated that it did not.

Respondents who considered that funding and support levels did have an impact on the community council's ability to carry out its functions often commented that the community council could be more proactive and / or effective were more funding and support available.

Examples of what community councils considered currently unaffordable included:

- travel to attend conferences and seminars
- meaningful consultation with the community e.g. newsletters, questionnaires, leaflets and surveys
- effective advertising
- subscription payments
- hiring halls for large public meetings on important issues
- contributing funding towards local causes and community projects
- undertaking own projects and events in the community
- access to training and professional advice
- paid clerical assistance

The majority of those who considered that the level of funding and support did not greatly impact on the ability to carry out functions did not elaborate further. However, it was occasionally added that the community council received very good support from the local authority and that extra funding for projects could always be applied for.

Do you have any other general comments about the funding and support provided to your community council?

Many of the comments to this question generally mirrored those provided for previous questions in this chapter. However, various new concerns and remarks were voiced including:

- population is a questionable determinant for grant as overheads are the same regardless of population size e.g. meeting hall lets
- funding and support should be standardised across Scotland and within local authority areas

- Funding arrangements should be similar to those for English Parish councils e.g. paid community councillors, paid clerks and powers to levy a precept on council tax
- community councils require provision of IT equipment
- conditions imposed on what grant may be used for are too restrictive
- lack of charitable status restricts the range of available funding

What training is provided to new community councillors and community councils in general?

There were 28 local authorities who responded to this question and outlined the training arrangements that they organised for community councils in their area.

A variety of arrangements were detailed in terms of kind, regularity and extent of training provision: from an induction course for new community councillors to specific subject seminars; from on request only to automatically after elections or at regular intervals (annual or quarterly); from specific training for community councils to courses in which all voluntary organisations may participate.

Examples of specific subjects on which training has been provided were: financial record-keeping; planning applications; the role of a community council and its office bearers; website development; committee skills.

Some local authorities indicated that they provided a handbook or information pack in addition to or in place of formal training and reference was occasionally made to the availability of training from other sources e.g. Planning Aid Scotland and Community Council Associations.

Some community council responses mentioned the above arrangements, however it was more commonly stated by community councils that no, little or not enough training was available.

Do community councillors feel they have adequate knowledge, skills and training to carry out their function?

A range of views were found across the community council, community council forum and individual responses, with a fairly even divide between those who considered that community councillors do have adequate knowledge, skills and training to carry out their function and those who do not.

From those who answered 'yes' reasons given included that a knowledge of the community and common sense were sufficient or that if someone did not feel they had the necessary skills they would not become involved. Some respondents felt that the community council contained adequate skills from the collective membership. Others considered that while on the whole they did have the requisite skills, advice and training from the local authority were also useful to have at hand. It was occasionally suggested that there is always room for improvement and more training or refresher courses to deal with new legislation would be welcomed.

From those respondents who answered 'no', the key areas where knowledge and skills were felt to be lacking were with regard to the internet and IT skills, the planning system and understanding the workings of local government. Inadequate skills needed by office bearers were occasionally mentioned e.g. accounting for Treasurers. A recurrent view was that most new community councillors did not have adequate skills at the start of their term, however tended to learn quickly through experience, and a number of respondents considered that possession of adequate skills varied according to the individual.

What do you think is the minimum training/advice required by community councils?

Across all categories of respondents one or more of the following general training specifications were commonly suggested as a minimum requirement:

- [induction training](#)
- refresher session
- ongoing training and advice
- regular training sessions e.g. quarterly; annual
- specific subject short courses
- induction [information](#) pack
- handbook
- none needed

As for specific areas on which minimum training is required the most common suggestions included:

- planning system
- conduct at meetings
- roles and responsibilities
- office bearer duties e.g. accounting
- local government structure, processes and contacts
- accessing funding
- IT and website development
- engaging with the community

It was occasionally expressed that the provision of customised training for community councils would have resource implications.

Is there a point of contact for community councils within your local authority who is able to provide advice, support and guidance? If so, how helpful is this service?

For the first part of the question, whether there is a contact point within the local authority, it was considered appropriate to analyse the responses from the local authorities and for the second part, whether this service is helpful, from the community councils.

27 local authorities detailed their arrangements. Of these all reported that contact arrangements were in place, however the details varied slightly across areas.

Some local authorities indicated that there is a single dedicated contact point, or community council liaison officer, who provides advice, support and guidance. In Orkney there is a dedicated community council liaison office with two full-time and one part-time officer and in Glasgow a staffed Community Council Resource Centre.

Other areas there indicated an official within the local authority who acts as contact point for community councils among their other responsibilities i.e. the decentralisation officer, Area Manager, Community Planning Co-ordinator or named officer with administration section. In some cases community councils have a number of contacts across the different areas of the Council.

Responses from community councils, forums and individuals suggested a consistently positive attitude with regard to the helpfulness of the service. Over 75% of those who expressed an attitude considered the arrangements to be either helpful or excellent. A small number felt that the service was either satisfactory or variable and less than 10% felt that the service was unsatisfactory.

An occasional respondent indicated that either there was no contact point or they were unaware of one and felt that such a contact would be helpful. It was occasionally the view that although there was a contact point available the respondent did not use it. Some respondents felt that local authority councillors were a more useful contact or indicated that they relied upon their own established contacts rather than a designated officer.

Some considered that their contact was not available enough whereas other respondents commented that their contact was easily accessible.

How do we capture good practice at community council level? Is there a role here for the ASCC?

A recurrent view was that good practice could be captured through community councils meeting together and sharing experiences or through a structure of community council networks. It was occasionally suggested that community councils would develop best practice from attending and observing the meetings of other community councils.

There was sometimes a view that training would further good practice or that a code of practice was required. There was also some support for the local authority to collect and disseminate good practice among the community councils in its area.

It was expressed by one local authority that the meeting together of representatives from local authorities, or community council liaison officers, is a helpful way of sharing good practice.

There was considerable support for the ASCC having a role in capturing good practice, undertaking the task either on its own or in conjunction with community council networks. A recurrent view was that the ASCC could achieve this by collecting and disseminating information and good practice. Also suggested was that the ASCC could provide training, advice or a model handbook. It was

occasionally felt that the ASCC was an appropriate vehicle for enabling co-operation and communication between community councils, with several responses mentioning the Calor Gas Awards as such a means.

There were some responses who did not consider the ASCC to have a role here. In a number of cases respondents explained that more immediate local community council networks have a more suitable role. In other cases, respondents felt that the ASCC could not perform this role as it lacked either the necessary funding, personnel or time. It was occasionally felt that the ASCC was either too rural or did not have enough understanding of rural communities to fulfil this function and that a more local set-up was preferable.

Any general comments on this chapter would be welcome

Many of the comments raised here reiterated points covered under the previous questions, especially the need for increased support (financial and equipment) and training. Some comments from community councils expressed a view that they were content with the support they received from their local authority.

There were comments surrounding the question of training and the impact it may have on the involvement of new community councillors. While it was occasionally said that a lack of training may be a deterrent to people from getting involved, there were several views held that if training were to be mandatory potential candidates may be put off joining the community council due to pressures of time.

Summary

- Funding and support provision to community councils differs to a large extent by local authority area
- While there was a majority view that funding was adequate, many indicated that community councillors were often out of pocket for running costs and could not afford to undertake additional various activities in support of community council functions
- There was strong support for increased training provision for community councillors although the question of whether it would be compulsory was raised

5. Code of Conduct

Are community councillors in your local authority area covered by a code of conduct?

Local authority responses to this question were evaluated in isolation. 12 local authorities answered that they did have a code of conduct in place and 18 answered that they did not.

Some of the 12 local authorities which had codes of conducts commented that there were limited sanctions that could be taken were the code to be breached, as community councils were voluntary bodies. Scottish Borders Council indicated that its code was optional i.e. that community councils could choose whether to be bound by the code of conduct for elected local authority members.

Of the 18 local authorities which stated that there was no code of conduct for community councillors in their area, 6 mentioned that some form of guidance, protocol or code of practice was operational. One local authority had proposed a code of conduct but the proposal was rejected by elected members on the grounds that it would be difficult to impose. One local authority was consulting on the code of conduct at the time of writing and 3 further local authorities said this was being or would be considered.

Is there a need for a Scotland-wide statutory code of conduct for community councillors, or do you think this should be left to the discretion of individual local authorities? If the latter would there be benefits in the Scottish Executive drawing up a model framework?

The responses to this question fell into 5 main categories as detailed in the table below.

Table 5.1 The need for a community councillors' code of conduct

Response	No.	%
Scotland-wide statutory code is needed	130	51
LA discretion with SE model framework	56	22
Leave to local authority discretion	30	12
No need	26	10
Other suggestions and comments	14	5
Total	256	100

The table suggests that half of respondents to this question considered that a Scotland-wide code of conduct was needed. 10% felt that there was no need for a code of conduct and 34% preferred local authorities to have discretion over the issue (with or without a national framework).

Of the responses in favour of a Scotland-wide code, some felt that it would add legitimacy and impartiality to the system.

A condition was added by some responses in favour of a model framework that such a framework should not be too prescriptive but rather allow room for local flexibility.

Of those who responded that there was no need for a code, it was occasionally felt that either the present system was satisfactory, deviations were infrequent or that it would be inappropriate given the limited powers of community councils.

Other suggestions and comments included alternatives to a code or a model framework e.g. guidance, a set of principles, or a short statement of behaviour. A recurrent comment was a concern that the introduction of a code may be a deterrent to potential community councillors.

When responses were disaggregated by respondent category there was little difference to be noted in response trends between categories.

Table 5.2 The need for a community councillors' code of conduct by respondent category

Response	CC/CCF**		LA		Individual		Other	
	No.	%	No.	%	No.	%	No.	%
Scotland-wide statutory code	98	50	14	50	9	53	9	64
LA discretion with SE model framework	41	21	10	36	2	12	3	21
Leave to local authority discretion	27	14	1	4	2	12	0	0
No need	19	10	3	11	3	18	1	7
Other suggestions	12	6	-	-	1	6	1	7
Total	197	101*	28	101*	17	101*	14	99*

* Percentages do not all add up due to rounding

** Community Council Forum or Association

One main difference to be noted is that a higher than average proportion of local authorities would prefer to work with a model framework (36%) compared to a lower than average proportion that would prefer to leave the issue entirely to local authority discretion (4%). The proportion who considered a national code necessary matched the overall average (50%).

A higher than average proportion of other bodies responded that there is a need for a Scotland-wide code of conduct for community councillors (64%).

If you consider that there should be a statutory code, are you content that any breaches be investigated by the local authority and/or community council as opposed to the Standards Commission?

The vast majority of responses to this question indicated a preference for breaches of a code of conduct to be investigated at a local level i.e. by the local authority and/or community council than by the Standards Commission, although some suggested that there should be provision for appeal to the Standards Commission were there to be an unsatisfactory resolution of the issue at a local level. Please see table below for breakdown of responses.

Table 5.3 Who should be responsible for investigating alleged breaches of a code of conduct

Response	No.	%
Local Authority	40	21
Community Council	13	7
LA and/or CC	63	33
LA and/or CC with appeal to SC	28	15
Standards Commission	24	13
Other	20	10
Total	192	99*

* Percentages do not all add up due to rounding

The most common reasons given for the Standards Commission to be involved referred to: the close working relationship between community councils and local authorities, issues of transparency, and the Standards Commission having the necessary expertise for this function.

The most common reasons given for the local authority to investigate breaches were because of its local knowledge or because involving the Standards Commission would be a draconian measure.

Of the responses in the 'other' category, common statements were that the investigating body should depend on the severity of the case; that an independent body (Standards Commission or other) is necessary to ensure fairness; or that the ASCC or Community Council Forum should have an investigative role.

As with the previous question there was sometimes a concern that potential community councillors might be deterred from joining the community council were a code to be enforced, and especially were the Standards Commission to be involved.

There was occasionally a concern that that there would be too great an additional demand on the local authority were it to have responsibility for investigating breaches of a code of conduct for community councillors.

A similar concern was raised with regard to the likely impact on the workload of the Standards Commission were it responsible for investigating matters relating to the conduct of community councillors in addition to its current remit.

Any general comments on this Chapter would be welcome

The majority of comments divided between those who considered the code to be necessary and those who felt it unnecessary. Many of the comments raised here repeated the suggestions and concerns referred to in the evaluation of the preceding questions and particularly prominent was the concern that a code of conduct and investigating procedure may deter people from standing for office.

Summary

- There was strong support for a code of conduct, although different views as to whether it should be statutory or based on a model framework
- There were some concerns that a code would be inappropriate for volunteers, difficult to enforce or a deterrent to potential community councillors
- There was a preference that breaches of a code be investigated at a local level rather than involve the Standards Commission

6. National Issues For A National Association

Should matters of national interest be pursued by a national association such as the ASCC rather than individual community councils?

The response from the ASCC itself suggested that there was a need for a specific national contact, however it acknowledged that the ASCC was not an exclusive channel to and from community councils and stated that the organisation respected the right of individual community councils and forums to pursue matters independently.

A common view was held that a national association such as the ASCC should pursue matters of national interest, however not to the exclusion of either (a) widely consulting community councils or (b) the right of individual community councils to make separate representations on an issue.

It was sometimes felt that matters of national interest would be best pursued by a national association and the following reasons were offered:

- it would allow community councils to concentrate resources on local issues
- it would provide stronger lobbying
- a national association would have the expertise to fulfil this function

Some responses considered that a national association should pursue national issues however had concerns that the current ASCC would first need to extend its current remit to include all community councils and improve its communication with them before acting on behalf of the community council body.

Of the responses that answered no to this question, the majority of reasons offered referred to maintaining a local perspective. There was a concern that the involvement of a national association might overshadow the local perspective of an issue and some felt that community and national issues conflicted. Others said that community councils have few, if any, national issues to pursue.

There was some feeling that community councils should pursue national issues independently as they know their communities best; others felt that this was the responsibility of the local authority or umbrella organisations e.g. community council networks.

Some made particular reference to the ASCC and considered that it might have a central belt bias at present and thus the views of remote areas could be overshadowed.

Could community council network groups have a role to play in this regard?

A significant number of responses felt that community council network groups, forums or associations do have a role to play in pursuing matters of national interest. Some responses also provided details of existing community council groups which already successfully perform this function.

Considered benefits of these network groups included providing the opportunity to share information, overcome common problems and strengthen the voice of local community councils i.e. by submitting joint responses on issues.

It was occasionally suggested that network groups were a more appropriate vehicle for obtaining a unified response than via a national association as they avoid the problem of regional differences i.e. rural and urban.

As with the previous question in relation to a national association there were occasional concerns that a network group may not be truly representative of all community councils in its area and thus individual community councils must not be precluded from making an individual representation.

Several responses considered that network groups do not have a role to play in this regard. Explanations included the idea that the proliferation of such groups would cause confusion and might be counter-productive for reasons of practicality e.g. the problem of finding time for a community council representative to attend network meetings.

What do you regard the role and function of the ASCC to be?

In response to this question the ASCC defined its role and function as the following:

- information, co-ordination and propagation
- promotion of community councils through national initiative and involvement with various groups
- stakeholder participation through national groups / agencies
- national contact base

Other respondents attributed a range of roles and functions to the ASCC. These primarily fell under the following categories: representational, advisory and practical.

It was commonly considered that the ASCC had a representational role. Specific functions included co-ordinating and presenting views on national issues, lobbying on behalf of community councils, liaison between community councils and central government, and generally representing the interests of community councils.

Responses commonly attributed an advisory role to the ASCC, with functions such as providing support and advice when solicited by community councils, providing specialist expertise, disseminating best practice, and ensuring community councils are aware of national issues and legislative changes that could affect them.

Some responses considered the ASCC to have a practical role. Functions mentioned included provision of training, provision of insurance, maintenance of a national database, provision of consultation summaries to community councils and assistance in setting up community council networks.

It was occasionally suggested that the ASCC's role included raising the profile and influence of community councils.

A few indicated that they had little knowledge of the ASCC or of its role.

If appropriate, what is the nature of your contact with the ASCC?

Of the 23 local authorities to provide a response to this question, the majority indicated a minimal to no level of contact with the ASCC. Some of these specified that contact was limited to either receipt of newsletters or payment of ASCC membership fees for community councils in the area. Other local authorities specified a more regular contact with the ASCC, including attendance at the AGM and seeking ASCC advice on particular issues.

Responses from community councils and community council forums suggested a similar variation in terms of contact with the ASCC. It was commonly expressed that contact with the ASCC was either minimal, none, or limited to receipt of newsletters or payment of annual membership subscription. Other community councils reported a more regular contact in the form of feedback via the ASCC area representative or by way of written communications. There was an occasional reference to having requested and received specialist guidance from the ASCC.

Is your community council a member of the ASCC? If not, why not?

Of the community councils who gave a response to this question, over 70% reported that they were members of the ASCC. Of these, a few referred to block membership paid by the local authority for all the community councils in its area.

Over 25% of community council responses to this question indicated that they were not members of the ASCC. Explanations included: practical restrictions especially time and cost implications of membership; preference for local community council networks; unsure of benefits of membership. There were conflicting views expressed: some felt that the ASCC had a bias towards rural communities (at the expense of non-rural communities) whereas others thought it had a bias towards the central belt (at the expense of rural communities).

Some community councils indicated that they used to be members but were not at present. Similar explanations were offered as in previous paragraphs i.e. financial implications and perceived little benefits, feeling that rural issues were overshadowed, and consideration that local community council networks are of greater benefit.

Occasional respondents were unsure whether their community council was a member and a few respondents indicated that they had applied or intended to apply for membership.

If a member of the ASCC, what benefits do you derive from that membership?

Many of the community councils who reported that they were members of the ASCC in the previous question elaborated here on how they benefited from membership.

It was sometimes a view that there were few to no obvious benefits to membership. However, the majority of community council responses to this question felt that they did benefit from membership by one or a combination of the following ways:

- informative newsletter
- networking at AGM with other community councils with similar objectives
- information about national issues that might affect community councils
- information about activities undertaken by other community councils
- beneficial insurance premium
- advice when required
- receiving information on good practice via Calor Gas Awards
- representation on national issues

Any thoughts on what the ASCC could do to improve membership levels?

According to the ASCC response, one way the organisation might improve its membership levels would be through block membership arrangements with local authorities i.e. local authorities could pay for all community councils in their area to be members of the ASCC. In addition, the ASCC considered that it could do the following to encourage membership:

- provide consultation summaries to reduce overload
- provide a legal helpline and insurance
- increase its profile through more newsletters
- increase its communication with community council liaison officers
- publicise specialist subject matter contacts

A **substantial** number of suggestions were offered **by other respondents** as to what the ASCC could do to increase membership levels.

A recurrent view **agreed with the ASCC** that membership would improve were it free of charge to community councils. It was suggested that all local authorities should be encouraged to pay block subscription for the community councils in their area or alternatively that the Scottish Executive should fund automatic membership. There was sometimes a view that the ASCC required better funding from the Scottish Executive and greater staffing resources in order to fulfil its role.

Some respondents considered that for the ASCC to increase its membership it needed to reorganise, with a regional level structure commonly supported. It was occasionally suggested that more area representatives were needed for improved communication with community councils and for more easily accessible meetings to be held around the country.

A consistent view was that the ASCC could improve its communication with community councils by way of regular updates, quicker responses to enquiries and more newsletters. It was sometimes suggested that the ASCC could make better use of IT communications by improving and updating its website.

It was sometimes felt that the ASCC could be more proactive in encouraging membership, through direct contact with non-members, better promotion of its profile

and role and through demonstration of its successes. It was occasionally suggested that the ASCC ought to find out what community councils needed from it and then seek to cater for that need. One response suggested that the ASCC needs to ensure it is providing services that are not already available through area associations or networks.

Any general comments on this chapter would be welcome

Some comments reiterated the importance of having a national association or commented that they were unaware of the ASCC or did not consider a national association necessary.

Other comments reinforced suggestions about how the ASCC could be more effective. The comments in this category tended to focus on one of the following:

- The ASCC needs greater financial and staffing resources
- A regional structure for a national association would be beneficial

Summary

- There was support for a national association pursuing national issues with consultation with community councils and not to the exclusion of their right to make separate representations
- There are differences between community councils with regard to the ASCC's contact and reputation with them
- Various suggestions were made on how the ASCC could improve membership levels, in particular having a regional structure, improved communication and free membership

CHAPTER THREE - CONCLUSIONS

A substantial number of responses were received to the discussion paper, representing a cross-section of key stakeholders. Many respondents seemed to welcome the objectives of the exercise and the opportunity to discuss one or various aspects of the community councils system. While the findings chapter explored in detail the responses to particular questions and topics, this chapter provides an overview of the key issues arising out of the findings with a focus on key areas of consensus, concern or disagreement.

Specific conclusions

There were strong views that flexibility in the way community councils operate should be retained. This was particularly apparent where respondents supported the current definition of the purpose of community councils, allowing them to become involved in a variety of other activities according to the needs of different communities. A minority of community councils felt that legislation should be enacted to give them greater powers and responsibilities.

There was some shared concern about the effect that multi-member wards will have on the working relationship between community councils and local authority councillors, particularly regarding access to councillors and issues of party politics. The responses from many local authorities, however, demonstrated that arrangements to address this have been under consideration.

The questions on the electoral process revealed a diverse range of practices. Community council elections differ significantly in terms of frequency, publicity, and voting methods. Comments suggested that elections are rarely contested and that voter turnout is generally low. Greater publicity and the use of postal voting were suggested by many as measures most likely to improve turnout. While there was very strong support for an election frequency to be prescribed, there was disagreement over whether there should be a common or national community council election day.

Co-option has been widely used for harnessing specific knowledge, however there was less evidence that it was effective at widening access to people who would not otherwise get involved with the community council. There were some concerns that it was difficult to involve young people in the community council, however there were various examples provided of their successful co-option onto community councils as well as more arms-length involvement such as community council work with youth groups.

The primary role of community councils is to ascertain and express the views of the community they represent. Many community councils indicated that they experienced obstacles to carrying out this function, raising concern that they were not adequately consulted on relevant issues affecting their community or that their input was not highly valued. Practical difficulties such as meeting tight consultation deadlines and having enough resources to ascertain the community's views were also common concerns.

There was some support for community councils to be consulted on licensing applications, although there was no clear consensus as to whether this should be formally specified at a statutory level or whether all consultation arrangements should be left to individual community councils and local authorities to determine.

Funding was a subject that elicited many comments and concerns. Many community councils considered that more funding should be provided, with a key argument that community councillors often had to subsidise the community council's running costs. There were also concerns raised over the potential resource implications for local authorities were there to be a significant increase in support.

Although local authority and community council respondents indicated the existence of a variety of training and guidance material for community councils, many community councils stated that they needed significantly more training in order to fulfil their purpose.

There was substantial support for introducing a code of conduct for community councillors. However, while around half of respondents considered a code should be statutory and Scotland-wide, the vast majority felt that any breaches should be investigated locally as opposed to the involvement of the Standards Commission.

The chapter on the ASCC and the role for a national association demonstrated that not all community councils considered themselves to have benefited from the organisation. However, there was strong support for having a national association and many practical suggestions were made on how the current association could improve its services and membership.

General conclusions

It is evident from many of the responses that some key issues were considered to be fundamentally linked. In particular, concerns over funding arrangements crossed over to various other areas of concern i.e. the community council's ability to carry out consultations, publicise elections or pay subscriptions to the ASCC. Similarly, the effectiveness of representations made by community councils was connected with voter turnout at elections and recruitment of a new and diverse community council membership. It will be important, therefore, to consider all the issues in their widest context.

Although some respondents supported greater consistency across local authority areas, many community councils and local authorities expressed a desire to retain as much flexibility as possible with regard to various aspects of the community councils system. In determining the next steps it will be important to work closely with community councils and local authorities to ensure the development of appropriate solutions.

The responses showed that there exists a great diversity in the nature of community councils and the communities they represent e.g. rural and urban, mainland and island. These different contexts revealed that needs and concerns varied in nature according to individual communities. On this basis one universal solution may not be appropriate for all community councils across Scotland.

Next steps

The understanding of the respondents of the issues involved and the commitment to make the system of community councils work effectively was impressive. There is a wealth of detail in the responses that have been received and a range of positive and constructive suggestions about how improvements can be made in practice. This presents the opportunity for this experience and knowledge base to be capitalised upon.

In gathering and analysing information on the current operation of the community councils system, the discussion paper met its objectives to provide an evidence base for informing Ministers on the steps needed to be taken to help community councils fulfil their role. The findings from this report will be presented to Ministers in conjunction with the findings from the concurrent dialogue events and together these will form the basis for determining the next steps in the review process.

ANNEX I – QUESTIONS IN DISCUSSION PAPER

Questions reflected in Chapter 1 - The Legislative Framework

- Q 1.1 Is the current definition of the purpose of community councils appropriate? If not, how should it be changed and why?
- Q 1.2 Is there a need to amend the legislative provisions relating to the adoption and amendment of community council schemes? If so, what changes are required and why?
- Q 1.3 Is there a need to ensure greater consistency between local authorities' community council schemes. If so, why and what elements do you think should be common to all community council schemes?
- Q 1.4 If you have answered 'yes' to the above question, could this be achieved by issuing guidance or drawing up a 'model community council scheme' or, would this best be dealt with by amending the legislation.
- Q 1.5 Do you foresee the introduction of multi-member wards for local government in 2007 having an impact on the working relationship between community councils and local authority councillors? If so, what measures might be appropriate to ensure a constructive and effective relationship in the new multi-member wards?
- Q 1.6 Is there a need to provide community councils with a corporate legal status that clearly distinguishes it from the members or are the current arrangements which have been in place for almost 30 years working satisfactorily?
- Q 1.7 Any general comments on the issues raised here would be welcomed.

Questions reflected in Chapter 2 - The Electoral Process and Diversity

- Q 2.1 How are elections carried out in your area? Do you think the process works well? If not, what changes would you wish to see made?
- Q 2.2 Do you think local authorities should be required to monitor and or oversee community council elections, or do you take the view that this should be the responsibility of individual community councils?
- Q 2.3 How frequently are community council elections held in your area?
- Q 2.4 Should the duration between elections be prescribed? If yes, what should this period be?
- Q 2.5 Are community council elections in a local authority area generally held on the same date? If not, do you think there would be any benefit in doing so?
- Q 2.6 By what method are community council elections held in your area?
- Q 2.7 What steps has your local authority taken to implement the McIntosh Report recommendation to improve electoral arrangements for community councils?
- Q 2.8 If appropriate, to what extent did these changes increase voter turn-out? (Any facts and figures on turnout rates would be helpful).
- Q 2.9 Notwithstanding the recommendations of the McIntosh Report, what lessons can be learned from previous elections in seeking to improve voter turn-out?
- Q 2.10 What can be done, either by community councils or local authorities, to encourage more people to put themselves forward to stand as community councillors?
- Q 2.11 What is done in your area to publicise community council elections and how effective has such publicity been?
- Q 2.12 We would also welcome any other general comments you have on community council elections.
- Q 2.13 Does your local authority's community council scheme provide for co-option?
- Q 2.14 If co-option is allowed, to what extent have community councils embraced this and where they have, how successful has it been?
- Q 2.15 How effective is co-option as a means of widening access to people who might not otherwise become involved in their Community Council?

- Q 2.16 Have you any experience of using co-option as means of harnessing specific knowledge or expertise on either a long term basis or for a specific task? If yes, please elaborate.
- Q 2.17 What steps have community councils taken to implement the recommendation contained in the McIntosh Report that Community Councils do more to involve young people and how successful have such efforts been?
- Q 2.18 General comments on issues raised in this Chapter would also be welcomed.

Questions reflected in Chapter 3 - Getting the Message Across

- Q 3.1 What methods do community councils use establish the views of the community they represent?
- Q 3.2 To what extent can local authorities and other public bodies determine whether the views expressed by community councils are genuinely representative?
- Q 3.3 Do you have any other general comments about how community councils can ensure that they accurately represent the views of their communities?
- Q 3.4 Other than where there is a statutory duty to do so, how do community councils and local authorities decide which issues community councils should be consulted on or indeed be involved in the decision making process?
- Q 3.5 Do community councils feel that local authorities provide them with adequate opportunity to comment on matters affecting their area? If not, did they raise this with their local authority and what was the outcome?
- Q 3.6 Are community councils suffering from consultation overload and if so, what can be done to reduce the burden on them?
- Q 3.7 Has you local authority any systems or processes in place to assist community councils to respond to fairly immediate requests for information/consultation papers e.g. oral requests for information? If so, please briefly outline what these are.
- Q 3.8 Views would be welcomed on whether there are any areas of activity e.g. licensing applications whereby local authorities should be obliged to consult Community Councils? If yes, should these be formally specified or is this best left to local authorities to determine in consultation with their community councils?
- Q 3.9 What bodies, besides local authorities, do community councils engage with on issues of local concern? Is this engagement direct or via the local authority?
- Q 3.10 If appropriate, how effective has this engagement been and have there been any obstacles which have had to be overcome?
- Q 3.11 Are community councils involved in the Community Planning process in your area? Is engagement in the Community Planning process an effective means by which community councils can engage with bodies such as the police, the NHS, etc.?
- Q 3.12 Any general comments on this Chapter would be welcome.

Questions reflected in Chapter 4 - Funding, Support and Training

- Q 4.1 What methodology is used to determine funding for community councils in your area?
- Q 4.2 What funding does your community council receive from the local authority and does the level of funding/support require you to meet any of your day to day running costs by other means? If yes, please outline how these costs are met.
- Q 4.3 Does the level of funding and or lack of support services impact on your ability to carry out your functions? If yes, please explain.
- Q 4.4 In addition to direct local authority funding, what, if any, support services are available to community councils in your area?
- Q 4.5 Do you have any other general comments about the funding and support provided to your community council?
- Q 4.6 What training/advice is provided to new community councillors and Community Councils generally?

- Q 4.7 Do community councillors feel they have adequate knowledge, skills and training to carry out their function? If not, please elaborate.
- Q 4.8 What do you think is the minimum training/advice required by community councillors?
- Q 4.9 Is there a point of contact for community councils within your local authority who is able to provide advice, support and guidance? If so, how helpful is this service?
- Q 4.10 How do we capture good practice at community council level? Is there a role here for the ASCC?
- Q 4.11 Any general comments on this Chapter would be welcome.

Questions reflected in Chapter 5 - Code of Conduct

- Q 5.1 Are Community Councillors in your local authority area covered by a code of conduct? If yes, please outline briefly how it operates or provide a copy.
- Q 5.2 Is there a need for a Scotland-wide statutory Code of Conduct for Community Councillors, or do you think this should be left to the discretion of individual local authorities? If the latter, would there be benefits in the Scottish Executive drawing up a model framework?
- Q 5.3 If you consider that there should be a statutory code, are you content that any breaches be investigated by the local authority and/ or community council as opposed to the Standards Commission? If not, please give your reasons.
- Q 5.4 Any general comments on this Chapter would be welcome.

Questions reflected in Chapter 6 - National Issues for a National Association?

- Q 6.1 Should matters of national interest be pursued by a national association such as the ASCC rather than individual Community Councils? Please explain.
- Q 6.2 Could community council network groups have a role to play in this regard?
- Q 6.3 What do you regard the role and function of the ASCC to be?
- Q 6.4 If appropriate, what is the nature of your contact with the ASCC? (It would be useful to get both the community council and local authority perspective on this)
- Q 6.5 Is your community council a member of the ASCC? If not, why not?
- Q 6.6 If a member of the ASCC, what benefits do you derive from that membership?
- Q 6.7 Any thoughts on what the ASCC could do to improve membership levels?
- Q 6.8 Any general comments on this Chapter would be welcome.

ANNEX II – RESPONDENTS

Below is the list of all respondents who did not request confidentiality.

Local authorities

Aberdeen City Council
Aberdeenshire Council
Angus Council
Argyll and Bute Council
City of Edinburgh Council
Clackmannanshire Council
Dumfries and Galloway Council
Dundee City Council
East Ayrshire Council
East Dunbartonshire Council
East Lothian Council
East Renfrewshire Council
Falkirk Council
Fife Council
Glasgow City Council
Highland Council
Inverclyde Council
Midlothian Council
Moray Council
North Ayrshire Council
North Lanarkshire Council
Orkney Islands Council
Perth and Kinross Council
Renfrewshire Council
Scottish Borders Council
Shetland Islands Council
South Ayrshire Council
Stirling Council
West Dunbartonshire Council
West Lothian Council

Community Councils

Aberchirder & Marnoch Community Council
Aberdour Community Council
Alloa West Community Council
Alva Community Council
Alyth Community Council
Arbuthnott Community Council
Ardross Community Council
Auchterarder Community Council
Auchtermuchty & Strathmiglo Community Council
Avich & Kilchrenan Community Council
Ballantrae Community Council
Ballater and Crathie Community Council
Balloch & Haldane Community Council
Balmaclellan Community Council
Banchory Community Council

Barrhead Community Council
Belhelvie Community Council
Bellshill Community Council
Belmont and Kincaidston Community Council
Benholm & Johnshaven Community Council
Birse and Ballogie Community Council
Blackford Community Council
Blairgowrie & Rattray Community Council
Boness Community Council
Braeside and Mannofield Community Council
Brechin & District Community Council
Bridge of Weir Community Council
Burgh of Ladybank and District Community Council
Burnfoot Community Council
Burnside Community Council
Burntisland Community Council
Burrelton and District Community Council
Bute Community Council
Cairneyhill Community Council
Calderwood Community Council
Cambusbarron Community Council
Canonbie and District Community Council
Caol Community Council
Cardross Community Council
Cardwell Bay & Greenock West Community Council
Carluke Community Council
Carnoustie Community Council
Carrbridge Community Council
Carrickstone Community Council
Castlebay Community Council
Cathcart and District Community Council
Charlestown, Limekilns, and Pattiesmuir Community Council
Cockenzie and Port Seton Community Council
Colinsburgh & Kilconquhar Community Council
Comrie Community Council
Condorrat Community Council
Costorphine Community Council
Cove & Kilcreggan Community Council
Craigmarloch Community Council
Craignish Community Council
Cramond Community Council
Cromar Community Council
Cromarty and District Community Council
Cummertrees and Cummertrees West Community Council
Dalbeattie Community Council
Dalgety Bay and Hillend Community Council
Deer Community Council
Dollar Community Council
Drymen Community Council
Dull and Weem Community Council
Dunadd Community Council
Dunnikier Community Council
Dunoon Community Council
Dunrossness Community Council
Dupender Community Council

Eaglesham Community Council
Earn Community Council
Eastriggs, Dormock and Creca Community Council
Eday Community Council
Edrom, Allanton and Whitsome Community Council
Elderslie Community Council
Eleven separate Community Councils in Glasgow
Elgin Community Council
Elie & the Royal Burgh of Earlsferry Community Council
Errol Community Council
Fairmilehead Community Council
Falkand and Newton of Falkland Community Council
Fintray & Kinellar Community Council
Finzean Community Council
Firth Community Council
Floors, Makerstoun, Nenthorn and Smailholm Community Council
Fort William Community Council
Fortrose and Rosemarkie Community Council
Foulden, Mordington and Lambertton Community Council
Fraserburgh Community Council
Freuchie Community Council
Fyvie, Rothienorman and Monquihitter Community Council
Gatehouse Community Council
Gavinton, Fogo and Polwarth Community Council
Giffnock Community Council
Giffordtown & District Community Council
Glenfarg Community Council
Glenurquhart Community Council
Gordon & Westruther Community Council
Gorebridge Community Council
Gourock Community Council
Graemsay, Hoy & Walls Community Council
Grange/Howard Community Council
Greenock Central, Cartsydyke & East Community Council
Greenrigg Community Council
Gullane Area Community Council
Halkirk Community Council
Harray and Stenness Community Council
Hawick Community Council
Heathhall Community Council
Helensburgh Community Council
Hillhead Community Council
Hillhouse Community Council
Hillside, Dunn & Logie Pert Community Council
Hilton Milton and Castle Heather Community Council
Hole Farm/Cowdenknowes Community Council
Houston Community Council
Howwood Community Council
Howwood Community Council
Hutton and Paxton Community Council
Innerleithen, Traquair and Glen Community Council
Inverkip and Wemyss Bay Community Council
Inverlochty and Torlundy Community Council
Iona Community Council
Islay Community Council

Isle of Arran Community Council
Jackton and Thortonhall Community Council
Kettle Community Council
Kilbarchan Community Council
Killearn Community Council
Killearnan Community Council
Killiecrankie and Fincastle Community Council
Killin Community Council
Kilmacolm Community Council
Kilsyth Community Council
Kiltarlity Community Council
Kiltearn Community Council
Kincardine Community Council
Kincraig & Vicinity Community Council
Kinghorn Community Council
Kings Park Community Council
Kingsbarns Community Council
Kinross Community Council
Kippen Community Council
Kirkcaldy West Community Council
Kirkmahoe and Locharbriggs Community Council
Kirkmaidiln Community Council
Kirkwall Community Council
Kirriemuir Landward West Community Council
Lanton Community Council
Larbert, Stenhousemuir and Torwood Community Council
Largo Area Community Council
Linwood Community Council
Lochgilphead Community Council
Lochgoil Community Council
Luing Community Council
Lumphanan Community Council
Macneill of Barra - Duplicate
Manor, Stobo & Lyne Community Council
Marchmont Community Council
Mastrick Sheddocksley and Summerhill Community Council
Mayfield & Easthouses Community Council
Mearns Community Council
Meldrum Bourtie & Daviot Community Council
Merchiston Community Council
Mid Atholl Strathtay and Grandtully Community Council
Milngavie Community Council
Milton and Coaltown of Balgonie Community Council
Minginish Community Council
Moffat & District Community Council
Monifieth Community Council
Monkland Glen Community Council
Morar Community Council
Mount Florida Community Council
Muckhart Community Council
Musselburgh & Inveresk Community Council
New Cumnock Community Council
New Pitsligo Community Council
Newcastleton & District Community Council
Newtongrange Community Council

Newtonmill, Muchalls and Cammachore Community Council
North Glenrothes Community Council
North Inch & Muirton Community Council
North Kincardine Rural Community Council
North Ronaldsay Community Council
Oakley & Comrie Community Council
Oban Community Council
Old Aberdeen Community Council
Pencaitland Community Council
Pitlochry & Moulin Community Council
Polmont Community Council
Poltonhall & District Community Council
Queen's Cross/Harlaw Community Council
Queensferry and District Community Council
Ralston Community Council
Renfrew Community Council
Rosewell & District Community Council
Royal Burgh of Falkland & Newton of Falkland Community Council
Royal Burgh of Haddington and District Community Council
Royal Burgh of North Berwick Community Council
Royal Burgh of St Andrews Community Council
Saline & Steelend Community Council
Salsburgh Community Council
Sandbank Community Council
Sandsting & Aithsting Community Council
Sandwick Community Council
Scone and District Community Council
Seil and Easdale Community Council
Seil and Easdale Community Council
Shieldaig Community Council
Silverton and Overtoun Community Council
Southside Community Council
St Fillans Community Council
St John's Town of Dalry Community Council
St Leonards Community Council
St Boswells Parish Community Council
Stanley & District Community Council
Stonehaven & District Community Council
Strachur Community Council
Strathaven and Glassford Community Council
Strathblane Community Council
Strathbogie Community Council
Strathfillan Community Council
Strathmartine Community Council
Stromness Community Council
Sunart Community Council
Tarbat Community Council
Tarbert and Skipness Community Council
Tarves Community Council
The Royal Burgh of Wigtown and District Community Councils
Thornhill and Blairdrummond Community Council
Thornliebank Community Council
Tillicoultry Community Council
Torthorwald Community Council
Trinity Community Council

Uddingston Community Council
Uig Community Council
Uphall Community Council
West End Community Council
Westfield Community Council
Westray Community Council
Westwood Community Council
Winchburgh Community Council

Community Council Associations

Garioch Area Forum of Community Councils
The Association of Argyll & Bute Community Councils
West Fife Villages Community Council
The Association of Lochaber Community Councils
Buchan Forum of Community Councils
Association of Argyll & Bute Community Councils
Association of Community Councils for Loch Lomond & the Trossachs National Park
Convention of Perth & Kinross Community Councils
Association of East Lothian Community Councils
Dumfries and Galloway Community Council Seminar

Other organisations

ASPS Association of Scottish Police Superintendents
Association of Chief Police Officers in Scotland (ACPOS)
Association of Scottish Community Councils (ASCC)
Conservative Group in Edinburgh City Council
Convention of Scottish Local Authorities (COSLA)
CVS Perth & Kinross
Development Trusts Association Scotland
Fairshare
Fife Liberal Democrat Group
NCH Scotland
NHS Ayrshire & Arran
Planning Aid Scotland
Rothiemurchus and Glenmore Community Association
Royal Town Planning Institute in Scotland (RTPI)
Scottish Environment Protection Agency (SEPA)
Scottish Power
Scottish Water
Standards Commission
Stirling Assembly
Strathclyde Fire & Rescue

Individuals

Mrs Pamela Abraham
Mr Brian Atwell
Mr Robin Blyth
Mr Wm H Boyle
Mr Chris Bruce
Mr Craig Connal QC
Mr Gerry Freedman
Ms Pauline Gardner

Mr Michael Gallagher
D Gallant
Donald Gorrie MSP
Mr Edwin Grieve
Mr Steve Hatton
Mr Dave Holtom
Mrs Alex Howie
Ms Pauline James
Cllr Margaret Kennedy
Mr Ben Kerfoot
Mrs Yvonne McCrone
Mr Arthur McFarlane
Mr Neil McNaught
Ms Rae Mackenzie
Mr Adrian Mahoney
Mrs Elsie Miller
Mr S Mitchell
Cllr Gordon Murray
Mr John Pendlebury
Mr James M Piggins
Mr Peter A Reid
Mr George Rhind
Mr Barry Rosindale
Mr Alistair Ross
Mrs Alison Simpson
P A Slann
Mrs Doris Sofio