



REPORT TO: CORPORATE COMMITTEE ON TUESDAY 25 APRIL 2023

SUBJECT: STRATHISLA COMMUNITY COUNCIL

BY: DEPUTE CHIEF EXECUTIVE, (EDUCATION, COMMUNITIES & ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To inform the committee of membership issues in relation to the Strathisla Community Council and recommend the dissolution of the community council as a result of these.
- 1.2 This report is submitted to Committee in terms of Section III (B)(47) of the Council's Scheme of Administration relating to the Council's functions in connection with Community Councils.

2. RECOMMENDATION

- 2.1 **For the committee to consider the report and agree to the dissolution of the Strathisla Community Council.**

3. BACKGROUND

- 3.1 Strathisla Community Council boundary covers areas in local government Ward 1- Speyside Glenlivet and Ward 2 - Keith, including Aultmore, Berryhillock, Craighead, Drummur, Botriphnie, Boharm, Rothiemay, Newmill, Farmtown, Grange, Glentauchers, Knock, Maggiecknockater, Mulben and Towiemore.
- 3.2 Strathisla Community Council (CC) was re-established during the October 2021 CC elections unopposed, with five members standing for ten available seats, with an electorate of 2538. No member co-options have been made by the CC since October 2021.
- 3.3 In October 2022, the Community Council Liaison Officer (CCLO) advised Democratic Services that due to the resignation of a member, the CC had fallen below the minimum operating membership, with four members remaining.

- 3.4 In line with the terms of the Moray Council Scheme for Community Councils (Scheme), under para 6.6 the CC was granted 3 calendar months, to address any arising issues and seek to achieve the minimum membership required by co-option, with the support of the CCLO, to allow time for the CC to regroup.
- 3.5 The CC cancelled November and December's scheduled in-person meetings and do not routinely meet in January. The meetings were not rescheduled by the CC, despite the time limit of 3 months for resolution of the membership issues.
- 3.6 Following a scheduled meeting of the CC in early February, which was attended by the CCLO, a CC member advised that an individual was potentially prepared to come forward to be co-opted, however that individual was not at that meeting and no co-option was tabled or agreed.
- 3.7 Following the February meeting, the CCLO advised the former Democratic Services Manager (DSM) (retired March 2023) with an update on membership issues, and it was noted that no progress had been made.
- 3.8 On discussion and investigation into the operation of the CC, it appears that minutes have not been routinely taken at scheduled meetings since March 2022 or submitted to the CCLO / local authority as is required in both the CC's own approved constitution, or in terms of para 4.42(b), 12(f) and 14a of the Moray Council's Scheme for Community Councils. The CCLO had reminded the CC of their responsibilities during this period and flagged this to the CC secretary and the chair.
- 3.9 During discussion with the DSM, Strathisla CC members have suggested the option of a merger of the Strathisla CC with neighbouring Keith CC. However no approach has formally been made to Keith CC, by Strathisla CC, to explore this proposal. This option would require a formal Interim Community Council Scheme review, with public consultation periods, remapping of boundaries and report to Committee, a process taking approximately 4-5 months, should there be agreement with Keith CC to examine this option.
- 3.10 The DSM has advised the CC that the merger proposal is a separate issue entirely from the continuing membership issue. The CC member had indicated that the potential co-option noted in para 3.6 was conditional, if a merger was not forthcoming. The DSM further advised that co-option of new members should have been the CC's priority.
- 3.11 Following a letter from the DSM to the CC, with the intention to recommend dissolution, discussion with a CC member resulted in two draft minutes being forwarded to the DSM from June and September 2022. On examination it is unclear if these minutes were formally agreed or published. It is further noted that when the CC had met in June 2022, the meeting was not quorate as only two members had attended, when three members are required to hold a meeting, as per the terms of the Scheme and the CC constitution.
- 3.12 Following the discussions noted above, the DSM referred the matter to the Deputy Chief Executive (ECOD) for further consideration of the situation, noting her reasons for recommending CC dissolution.

- 3.13 Taking into account the implications noted in this report and due to the lack of progress or impetus by the CC, even with the additional support of the CCLO, the long standing difficulty in recruiting new members and lack of interest at recent elections, the Depute Chief Executive (ECOD) is in agreement with CC dissolution.
- 3.14 In terms of the scheme, the proposal for CC dissolution must be brought before Committee for approval. Options open to the Committee, as per the Scheme are;
- (i) Agree the dissolution,
 - (ii) Propose that arrangements are made to hold an interim election, with the agreement of the Returning Officer,
 - (iii) Extend the 'supported status' of the CC, for a further 3 month period to resolve membership issues, thereafter if no resolution results the CC is dissolved.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

In relation to the Corporate Plan and LOIP, this report raises issues in supporting community capacity and empowerment, and connecting local communities.

(b) Policy and Legal

- (i) Community Councils and their members, as statutory bodies and in receipt of public funds have duties and responsibilities in their operation, in relation to the Scheme and their own constitution.
- (ii) Should twenty or more electors subsequently wish the re-establishment of a CC for the area, these electors shall submit a petition to Moray Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer may arrange for elections to be held in accordance with the Scheme.

(c) Financial implications

- (i) The Community Council is in receipt of an administrative grant from the council, and including monies already held holds a balance of approximately £4,200. Should the CC be dissolved, this balance would be surrendered to the Council, via the CCLO.

The CC is also in receipt of grant of £50,000, awarded in August 2022, from Scottish & Southern Electricity Networks Resilient Communities Fund. It is understood this money has not been disbursed and is subject to partial match funding requirement of £20,000.

Initial discussions with SSEN by the Council's Community Support Unit, indicate that the fund could in theory, be reallocated to another constituted body, or bodies, in the area for the same purpose, subject to the award of match funding from other identified sources and fundraising.

- (ii) Should the option of an interim election be determined, there are financial implications in terms of production and publication of public notices, awareness costs if more local input is sought due to the rural area covered and costs relating to staff time in organising the same. Should a contested ballot be required, then costs would be incurred in terms of ballot paper production, inward and outward postage costs, processing and count costs as well as staff time. This has not been costed at this time.

(d) Risk Implications

As the CC is not operating in terms of their constitution or within the Moray Council Scheme for Community Councils in terms of their membership and operation, the Council has a duty to review the CC's continued operation in the public interest and in upholding processes of local decision-making and transparency.

(e) Staffing Implications

There are minimal staffing implications in dissolving the CC, other than the CCLO and CSU overseeing the return of CC assets and funds, and liaising with SSEN in relation to the grant made.

If other routes are determined, then additional staff resource for either further support and/or election will be made available from existing staff complement.

(f) Property

There are no property implications arising from this report. However the CC holds assets of a laptop and printer to conduct their business. Should the Community Council be dissolved these would be surrendered to the CCLO and held securely. Should the CC reform in the future, these would be returned to the established CC.

(g) Equalities/Socio Economic Impact

There is recognition of the role of voluntary and community organisations in supporting residents in their areas. Should the CC be dissolved there may be an impact on those that are more vulnerable or less able due to the absence of a support network at this level to represent and connect with them on local issues, limiting access to opportunity in this rural dispersed area.

(h) Climate Change and Biodiversity Impacts

There are no implications for climate change and biodiversity arising from the proposals.

(i) Consultations

Consultations have been undertaken with Debra Duke, Community Council Liaison Officer, Dawn Brodie, Community Learning & Engagement Team Manager, Alison Davidson, Elections Officer, Alasdair McEachan and Denise Whitworth, Depute Chief Executive (ECOD) and Returning Officer. Discussion has also taken place with some CC members about the operation of the CC and local members are aware of the situation.

5. CONCLUSION

- 5.1 Strathisla CC has long standing low-level membership issues and has been operating in conflict with its constitution and the terms of the Council Scheme for Community Councils. The CC has been unable to progress and resolve issues in the timescales granted under the terms of the Community Council Scheme, and considering the options available dissolution is recommended in this instance.**

Author of Report:	Moirra Patrick, Democratic Services Manager
Background Papers:	With Author
Ref:	SPMAN-2045703626-249