



CONCORDAT

between

THE HIGHLAND COUNCIL

and

COMMUNITY COUNCILS

NOVEMBER 2001



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INTRODUCTION

This Concordat is based on the working relationships and good practice which has developed since 1996 between The Highland Council and Community Councils. It also takes account of the booklet published by the Scottish Office entitled "Local Authorities and Community Councils: Enhancing the Relationship", together with the work of the McIntosh Commission and most recently "The Renewing Local Democracy Working Group" (Kerley Report) which both made recommendations to the Scottish Parliament which have implications for local authorities and their dealings with Community Councils.

AIMS

The Aims of this Concordat are:

- To affirm The Highland Council's commitment to Community Councils

- To assist The Highland Council and Community Councils to develop their relationship effectively

- To set out the framework for the operation of Community Councils within The Highland Council area

- To promote examples of good practice

THE ROLES OF COMMUNITY COUNCILS

Community Councils were established as a result of the Local Government (Scotland) Act 1973. They do not have statutory duties or powers, and are essentially voluntary bodies established within a statutory framework.

The key roles of Community Councils are:

- To represent the views of the community to The Highland Council and other public bodies operating in their area

- To act to further the interests of their communities

- To be consulted on planning applications within their area (The Town & Country Planning (General Development Procedure) (Scotland) Amendment Order 1996)

- To consider exercising their powers to object to the granting, renewal or transfer of liquor licences. (The Licensing (Scotland) Act 1976).



SCHEMES FOR COMMUNITY COUNCILS

The Highland Council inherited in 1996 eight different schemes adopted by the eight District Councils, for the establishment of Community Councils. The Highland Council decided not to adopt a single scheme but to adapt each of the eight original schemes for use within each area. Each Community Council has its own constitution which it can seek The Highland Council's approval to amend to reflect local circumstances. Constitutions provide for the number of Community Councillors to be elected and/or co-opted.

There is provision for 152 Community Councils of which 146 have been established. The boundaries of most Community Council areas have largely remained unchanged since Community Councils were established. The Highland Council considers that widespread changes to boundaries should await the Scottish Executive's response to the changes to local government wards proposed in the Kerley Report.

As part of its Decentralisation Scheme, which was originally developed in 1996, and through the promotion of Community Planning, for which local authorities are to be given a statutory power of Community Initiative, the Council affirms its commitment to Community Councils in the following ways:

- Through the Renewing Democracy and Community Planning Select Committee of Councillors which will maintain a strategic overview of Community Councils at the Highland Council wide level

- Through the review of schemes within each of the 8 Areas for the establishment and development of Community Councils

- Through the work of Area Committees in providing the main link between The Highland Council and Community Councils

- Through the work of Area Managers as the main point of day-to-day contact between The Highland Council and Community Councils.

- Through the involvement of Community Councils in the Community Planning process at the local level

- Through the provision of funding by The Highland Council to Community Councils (see section 3 below)

- Through the promotion of effective Consultation Arrangements (see section 5 below), Information and Advice (see section 6 below) and Training (see section 7 below)

FUNDING

The Highland Council provides annual grants to Community Councils for their operation and administration. The grants are issued subject to the following conditions:

- Each Community Council is required to hold at least 6 public meetings annually

- Annual accounts are to be submitted to the relevant Area Manager before the annual grant is issued

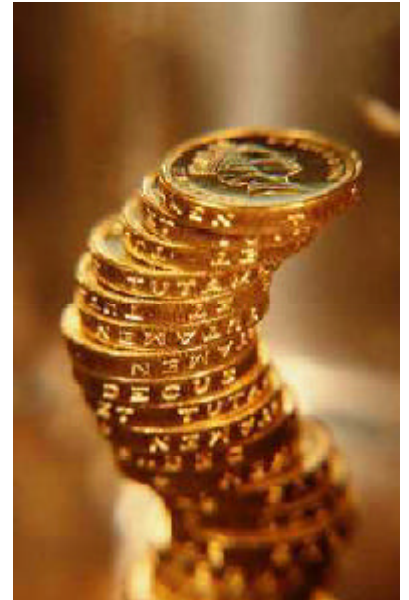
- Part of the grant (£250) is to be awarded to the Community Council Secretary in recognition of work undertaken unless specifically waived by the Secretary

- Part of the grant is to be used to fund the election process

- The annual grant is to be used effectively in accordance with the financial guidance previously issued by The Highland Council

- Agendas and minutes are to be sent to the relevant local Councillors and Area Managers

- Public Liability Insurance is to be held by each Community Council. (If required The Highland Council will arrange for this insurance to be paid and deducted from the annual grant)



The Highland Council will provide advice on additional sources of funding including on how projects might be funded.

ELECTIONS

The Highland Council considers that although the 8 different schemes include a variety of arrangements for the holding of elections that, in the interests of local democracy, a common approach should be adopted within each Area. Evidence suggests that a common approach combined with the opportunity for postal ballots significantly increases turn out at elections and promotes more contested elections. This approach should include:

- Elections using local government procedures, i.e. by secret ballot with all Community Councillors in each Community Council subject to election at the same time. (This does not affect the arrangements adopted by some Community Councils to elect a proportion of Community Councillors each year.)

- Elections for all Community Councils within an area being held on the same day

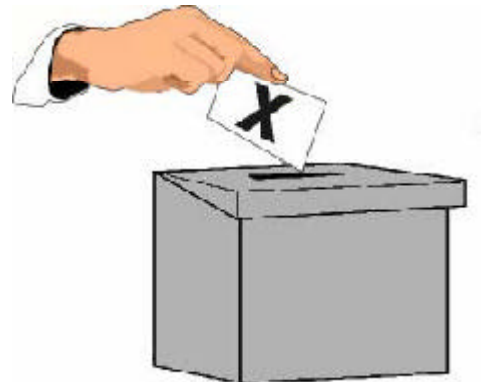
- Postal voting

- The involvement of more young people (The Scottish Executive's response to the McIntosh Commission indicated that local authorities should give particular consideration to extending the vote to 16 year olds)

The Highland Council recognises that the above arrangements will take time to introduce in some areas because of the variety of arrangements that exist. The above arrangements were adopted in the Community Council elections held in November 2000 in the Caithness and Inverness Areas. Having taken into account any lessons to be learnt, a timetable will be developed for the implementation of the new arrangements in all Areas.

The Highland Council will give further consideration to the involvement of young people in the work of Community Councils following the elections to the Highland Council's "Youth Voice" held in October 2000.

A pilot project to investigate and trial the use of internet voting in Community Council elections may be undertaken by The Highland Council and other partners.



CONSULTATION

The Highland Council has adopted a Consultation Strategy which sets out how the Council will undertake consultations with the public, Community Councils and other organisations.

The main features of the Consultation Strategy which are relevant to Community Councils include:

- A co-ordinated approach to consultation involving other Council services and other organisations to avoid consultation overload caused by a stream of consultation documents

- Allowing three months for responses to consultation documents, where possible

- Reporting back to consultees on what views have been received and what has been done as a result. Treating responses as public unless confidentiality is specifically requested

- Providing a clear statement of how consultation is to be undertaken, the deadline for responses and the name, address, telephone, fax and e-mail contact of the person from whom further information can be obtained

- Consultation documents produced using Plain English and available on The Highland Council's web-site.

The Highland Council will continue to endeavour to meet the following corporate standards in relation to customer contact.

- **Telephones** - Telephones to be answered in 10 rings (30 seconds) with cover provided from 9 am to 5 pm including lunch times
- **Correspondence** - Correspondence to be answered within 10 days of receipt. Holding letter to be issued if this cannot be achieved
- **Complaints** - Complaints to be answered within 10 days of receipt. Holding letter to be issued if this cannot be achieved.



INFORMATION & ADVICE

The Highland Council will provide information and advice to Community Councils in the following ways:

- Through the use of The Highland Council's internet (www.highland.gov.uk) which currently provides information on Council Agendas, Minutes, Meetings, News Releases and summaries of key Council documents

- Through the use of other Internet web-sites with which The Highland Council is associated, e.g. (www.hi-ways.org)

- Through The Highland Council's network of Service Points which can provide a wide range of information and advice and access to a range of other services (Contact Area Managers for further details)

- Through Local Councillors who provide a point of contact with the Council at a political level through attendance at Community Council meetings and other means of communication

- Through Area Managers, Area Service Managers and other Council staff who can provide information and advice and, where appropriate, attend Community Council meetings.

- Through the annual conferences organised by The Highland Council in each of its Areas

- Through an Information Pack on Information and Communications Technology



TRAINING

The Highland Council will, through Area Managers, arrange training on the following:

- **Planning** - including how to respond to consultation on planning applications

- **Licensing** - including how to exercise the right to object to liquor licensing

- **Meetings** - including how to organise and conduct meetings

- **Communications** - including how to consult and communicate locally and use of ICT

Community Councils are invited to contact Area Managers to indicate other training that might be made available.

The Highland Council will, through Area Managers, produce a timetable for training indicating what is on offer and when and where it would take place.



THE WORK OF COMMUNITY COUNCILS

The Highland Council recognises the wide range of work undertaken by Community Councils and that it is for each Community Council to determine the range of work it wishes to undertake.

The Highland Council will provide advice and practical assistance to Community Councils undertaking the following range of work:

- Seeking and representing local views through local meetings, surveys, newsletters, exhibitions, etc.

- Undertaking pilot projects which lead to good practice that can be used as examples for other Community Councils to follow

- Working in partnership with The Highland Council and other organisations on projects that meet local community needs

- Developing good working relationships with the Highland Councillors, Area Committees and Council staff

- Providing annual feedback to The Highland Council through the submission of an Annual Report

- Participating in the work of Area Community Council Forums (Area Forums will be encouraged to attend the AGM of the Association of Scottish Community Councils)

- Undertaking Forward Planning to ensure that the future work of the Community Council takes account of changing local needs and external changes.



SOME EXAMPLES OF GOOD PRACTICE

Some examples of good practice are set out below:

Funding

- A number of Community Councils raise funds for local projects and events from external sources, e.g. Local Enterprise Companies, Lottery, etc.

Postal Ballots

- Cromarty Community Council undertook a postal ballot for its recent elections. This resulted in a 68% turnout.
- Postal ballots are favoured by all Community Councils in the Skye & Lochalsh Area.

Youth Representation

- A number of Community Councils have used their powers to co-opt additional members to involve young people.

Management of Facilities

- Kyleakin Community Council manages the Old Village School as a Community Centre.
- Merkinch Community Council has developed a Dolphin Watch Information Centre within the former Kessock Ferry ticket office.
- Gairloch Community Council runs the seasonal pitch & putt course and has set up a Village Office scheme.

Local Surveys

- Portree Community Council undertook a local survey seeking views on the preferred location etc. following approaches from two large supermarket companies.
- Shieldaig Community Council undertook a survey of local housing needs.

Managing CCTV Systems

- Dingwall Community Council manages the town's CCTV system.

Good Citizen Award

- Muirtown Community Council presents an Award, in the form of a certificate and gift voucher, for pupils at a local school.

Community Newsletter

- Many Community Councils publish local newsletters about action on local issues.

Partnership Working

- A number of Community Councils work closely with other organisations to raise money for charitable causes and undertake work eg. footpath maintenance, litter clean-ups.