

Scottish office in Edinburgh at [Scotland@ico.gsi.gov.uk](mailto:Scotland@ico.gsi.gov.uk) or 0131 225 6341 (The Information Commissioner should not be confused with the Scottish Information Commissioner, who enforces the Freedom of Information (Scotland) Act 2002.)

## **Notification to the Information Commissioner**

All data controllers are obliged by the Act to notify the Information Commissioner of the classes of personal data which they are processing, the purposes for which they are processed and the recipients to which the data may be disclosed. Community Councils only need to notify if personal data are processed electronically. This information is included in the Commissioner's Register of Notifications, which is open to public inspection. Unless within an exempt category, it is a criminal offence to process personal data without first notifying the Commissioner. It is likely that only a few Community Councils will be covered by an exemption.

## **Complying with the Data Protection Act**

Community councils must comply with the Data Protection Act because they process personal data as defined under the Act. For example, it is likely that the Secretary of Community Councils will hold electronic records of contact details of its members, of some local residents and of elected members or employees of the local authority. These may be within databases, Minutes of meetings or in correspondence

In order to comply with the Act, Community Councils should take the following steps:

- Nominate someone (e.g. the Secretary) as the person responsible for data protection.
- If collecting personal data from individuals, you should explain the purpose for which the data is being collected as well as giving them the name of the Community Council and the name of the person nominated as being responsible for data protection.
- Ensure that personal data are properly protected – if data are stored electronically, ensure that they are password-protected and (in sensitive cases) encrypted. If they are stored manually (e.g. a paper filing system), ensure that the files are kept in a secure place.
- Ensure that personal data are never disclosed to any unauthorised third party, whether accidentally or on purpose. Do not discuss personal issues in public or leave papers or computer files unsecured at home.
- Periodically review the personal data that are held, making sure that they remain accurate and up to date – where necessary dispose of or shred data that are no longer needed.

- **VERY IMPORTANT:** notify the Information Commissioner of the personal data which are being processed, the purposes for which they are processed and the recipients to which the data may be disclosed. It is a criminal offence to process personal data without having first notified the Commissioner.
- Before notifying, identify what personal data are held and who the data subjects are; ascertain the purposes for which the data are to be used; identify where and how the data are stored or recorded. This will assist in completing the notification template.
- Notification can be done on-line at the Commissioner's website, by going to [www.ico.gov.uk/what\\_we\\_cover/data\\_protection/notification.aspx](http://www.ico.gov.uk/what_we_cover/data_protection/notification.aspx) and then by following the step-by-step directions given there. The website includes standard templates for different types of organisations, including a set of local and central government templates; this includes, in turn, standard template N958 – Scottish Community Council. By clicking on that template, the standard classes and uses of personal data for Community Council are automatically included in the notification. Check the details and modify the form before printing it off, signing and posting to the Commissioner.
- Alternatively, a Community Council may send the required information, as shown below, to - [notification@ico.gov.uk](mailto:notification@ico.gov.uk), and ask for a template for a Scottish Community Council to be completed. The Information Commissioner's Notification Department will then provide a draft for the Community Council to approve/amend as necessary.
- Community Councils can also phone the Information Commissioner's Notification Helpline on **01625 545 740** and ask for a draft template for a Scottish Community Council to be completed. The required information (as shown below) should be given over the phone.

The information needed is as follows:

- Community Council name
- Community Council address
- Contact name and role in the Community Council (i.e. Chair/Secretary/Treasurer)
- Contact address
- Contact telephone number
- Contact fax (if available)
- Contact e-mail address

Notification currently costs £35 and must be renewed annually.

## **SECTION 17 LICENCE APPLICATIONS**

### **LIQUOR LICENSING - CONSULTATION WITH COMMUNITY COUNCILS**

#### **New System**

The Licensing (Scotland) Act 2005, will fully replace the 1976 Act with effect from September 2009. Transitional arrangements are in place covering up to that date. The 2005 Act contains new provisions about notification of applications by the Board and objections.

Link to the 2005 Act

[http://www.opsi.gov.uk/legislation/scotland/acts2005/asp\\_20050016\\_en\\_1](http://www.opsi.gov.uk/legislation/scotland/acts2005/asp_20050016_en_1)

#### **The 2005 Act ensures that:**

- Licensing Boards are required to notify the Community Council of any new premises licence application or application to substantially vary how a premises operates;
- Community Councils are able to object or offer representations to an application and request Licensing Boards hold a hearing to review a licence if it is operating outwith the premises licensing conditions or the licensing objectives;
- Local Authorities employ a Licensing Standards Officer whose duties include mediating with licensed premises to try and solve problems including those raised by Community Councils; and
- Licensing Boards are required to involve people resident in the locality in consultation on a Board's Licensing Policy Statement or overprovision assessment, which could include reference to how it intends to involve Community Councils in Licensing Board matters. .

## **SECTION 18      EQUALITY DIVERSITY AND COMMUNITY COUNCILS**

### **Introduction**

The purpose of this section is to:

- make clear why Community Councils need to be aware of the general responsibilities relating to the Race, Disability and Gender Equality Duties; and
- how they can play a significant part in promoting and supporting equality in the community.

### **Background**

The Race Relations (Amendment) Act 2000 [http://www.opsi.gov.uk/acts/acts2000/ukpga\\_20000034\\_en\\_1](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000034_en_1) and the Local Government (Scotland) Act 2003 [http://www.opsi.gov.uk/acts/acts2000/ukpga\\_20000034\\_en\\_1](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000034_en_1) as well as various European Parliament laws gave further duties and responsibilities to Community Councils.

The main purpose of a Community Council is to find out the views of their community and clearly express them to the Local Authority and other public organisations such as the NHS. Some also find themselves involved in fundraising, organising community projects and other such activities.

Given the above, Community Councils therefore have both a duty and responsibility to ensure that they represent all within their community irrespective of race, disability, gender, age, sexual orientation, religion and/or belief.

Community Councils must act in accordance with the Equality Scheme(s) of the relevant Local Authority.

This section deals with the general responsibility relating to the race, disability and gender duties which are already in force.

### **Race**

#### **Responsibilities**

In carrying out their functions Community Councils should:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good relations between people of different racial groups.

## **Disability**

### Responsibilities

In carrying out their functions Community Councils should:

- promote equality of opportunity between disabled people and others;
- eliminate unlawful discrimination;
- eliminate harassment of disabled people that is related to their disabilities;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life; and
- take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

## **Gender**

### Responsibilities

In carrying out their functions Community Councils should:

- eliminate unlawful discrimination;
- eliminate harassment; and
- promote equality of opportunity between men and women.

## **How Community Councils can help promote equalities in their areas?**

- find out about the makeup of the area – how many people of different races, with disabilities or of different genders live in the area.
- make sure that any advertising is accessible to all, and that meetings take place in accessible buildings at times that suit everyone.
- try to engage 'hard-to reach' groups – help to do this is available from your community council liaison officer or your local council for voluntary service.
- run local events in partnership with local ethnic groups, disability and other community groups.
- always consult about how any plans would affect all members of the community,
- act in an inclusive manner when inviting speakers from ethnic, disability and community groups to discuss difficulties they are experiencing in the community with the community council.
- make it clear that the community council will not support any discrimination, harassment or victimisation.

## **SECTION 19 THE ROLE AND REMIT OF THE SCOTTISH, UK AND EUROPEAN PARLIAMENTS**

### **Background**

The Model Scheme for the Establishment of Community Councils specifies that Members of the Scottish, UK, and European Parliaments are *ex-officio*\* members of community councils within their constituency or region. Below is an outline of the roles and powers of the various Parliaments.

*\* Member generally taken to be a person, who, by virtue of an office or position held, is officially attached to a committee as a non voting member*

### **The Role of the Scottish Parliament**

Scotland, Wales and Northern Ireland all held successful referendums on devolution in the late 1990s. In Scotland's case, this led to the establishment of a separate Parliament following the passing of the Scotland Act 1998, which can be viewed at this weblink <http://www.opsi.gov.uk/acts/acts1998/19980046.htm>. The Scottish Parliament took responsibility for its devolved powers on 1 July 1999

### **Devolved and reserved powers**

Devolved powers are decisions that the UK Parliament used to control, but are now taken by the separate bodies, such as the Scottish Parliament. This includes matters like education and health. Reserved powers are those decisions that remain with Parliament in Westminster. Which powers were devolved and which were reserved were determined by the legislation.

### **The Scottish Parliament**

The role of the Scottish Parliament is to make laws in relation to devolved matters in Scotland. In these devolved areas, it is able, by virtue of the devolution legislation, to amend or repeal existing Acts of the UK Parliament and to pass new legislation of its own in relation to devolved matters. It will also be able to consider and pass private legislation, promoted by individuals or bodies (for example local authorities) in relation to devolved matters.

Among the areas devolved, not included in the devolution proposals of the Scotland Act 1978, are economic development, financial and other assistance to industry, universities, training, forestry, certain transport matters, the police and the prosecution system.

All matters that are not specifically reserved are devolved. Devolved matters over which the Scottish Parliament has legislative power include:

## **Health**

- health generally including overall responsibility for the National Health Service in Scotland and public and mental health; also the education and training of health professionals and the terms and conditions of service of NHS staff and general practitioners;

## **Education and training**

- school education including pre-5, primary and secondary education, the functions of Her Majesty's Inspectorate of Schools and teacher supply, training and conditions of service;
- further and higher education including policy, funding, the functions of the Scottish Higher Education Funding Council (SHEFC) and student support;
- science and research funding where supported through SHEFC and where it is undertaken in support of other devolved matters;
- training policy and lifelong learning including all the training responsibilities presently exercised by The Scottish Office;
- vocational qualifications including the functions of the Scottish Qualifications Authority;
- careers advice and guidance

## **Local government, social work and housing**

- local government including local government finance and local domestic and non-domestic taxation;
- social work including the Children's Hearings system;
- voluntary sector issues;
- housing;
- area regeneration including the designation of enterprise zones;
- land-use planning and building control.

## **Economic development and transport**

- economic development including the functions of Scottish Enterprise, Highlands and Islands Enterprise and the local enterprise companies;
- financial assistance to industry subject to common UK guidelines and consultation arrangements to be set out in a published concordat;
- inward investment including the functions of Locate in Scotland;
- promotion of trade and exports including the functions of Scottish Trade International;
- promotion of tourism including the functions of the Scottish Tourist Board;
- passenger and road transport covering the Scottish road network, the promotion of road safety, bus policy, concessionary fares, cycling, taxis and minicabs, non-technical aspects of disability and transport, some

rail grant powers, the Strathclyde Passenger Transport Executive and consultative arrangements in respect of public transport;

- appropriate air and sea transport powers covering ports, harbours and piers, the provision of freight shipping and ferry services, the activities of Highlands and Islands Airports Ltd and planning and environmental issues relating to airports;
- inland waterways.

## **Law and home affairs**

- criminal law and procedure except for offences created in statute law relating to reserved matters including drugs and firearms;
- civil law except in relation to matters which are reserved;
- electoral law in relation to local government elections;
- judicial appointments subject to the appointments of the Lord President of the Court of Session and the Lord Justice Clerk being made by The Queen on the advice of the Prime Minister on the basis of nominations from the Scottish Executive;
- the criminal justice and prosecution system;
- the civil and criminal courts including the functions of the Scottish Courts Administration and the Court of Lord Lyon;
- tribunals concerned with devolved matters and the Scottish Council on Tribunals;
- legal aid; parole, the release of life sentence prisoners and alleged miscarriages of justice; and prisons including the functions of the Scottish Prison Service and the treatment of offenders;
- the police and fire services including fire safety;
- civil defence and emergency planning;
- functions under various international legal agreements in devolved areas, for example relating to child abduction and the reciprocal enforcement of Maintenance Orders;
- liquor licensing;
- protection of animals including protection against cruelty to domestic, captive and wild animals, zoo licensing, controlling dangerous wild animals and game.

## **Environment**

- the environment including environmental protection, matters relating to air, land and water pollution and the functions of the Scottish Environment Protection Agency; water supplies and sewerage; and policies designed to promote sustainable development within the international commitments agreed by the UK;
- the natural heritage including countryside issues and the functions of Scottish Natural Heritage;
- the built heritage including the functions of Historic Scotland;
- flood prevention, coast protection and reservoir safety.



## **Agriculture forestry and fishing**

- agriculture including responsibility for implementing measures under the Common Agricultural Policy, and for domestic agriculture including crofting, animal and plant health and animal welfare subject to suitable co-ordination arrangements to ensure consistency within the UK where required under European law or to protect the public, animal or plant health or animal welfare;
- food standards: the relationship between the powers to be exercised by the Scottish Executive and the proposed Food Agency and the degree of UK co-ordination required to protect the public is considered in the White Paper on the Agency to be issued in the autumn;
- forestry: the Secretary of State for Scotland's functions, including his power of direction over the Forestry Commission, is transferred to the Scottish Executive, as will responsibility for finance for the Forestry Commission's activities in Scotland. The financial arrangements is agreed on a fair and equitable basis taking into account the interests of UK tax payers in a suitable division of the receipts from the business activities of the Commission;
- fisheries including responsibility for implementing measures under the Common Fisheries Policy, subject to suitable co-ordination arrangements to ensure effective discharge of UK obligations; domestic fisheries matters including inshore sea fisheries, salmon and freshwater fisheries and aquaculture.

## **Sport and the arts**

- sport including the activities of the Scottish Sports Council;
- the arts including the functions of the National Library of Scotland, the National Museums of Scotland, the National Galleries of Scotland, the Scottish Museums Council, the Scottish Arts Council, and Scottish Screen and support for Gaelic

## **Other matters**

- statistics, public registers and records including the responsibilities of the Keeper of the Registers, the Keeper of the Records, and the Registrar General for Scotland.

The Scottish Parliament is also able to examine devolved matters and debate a wide range of issues of interest and concern in Scotland, whether devolved or reserved. The Scottish Parliament and Executive is able to promote equal opportunities through policies and legislation in the full range of devolved matters. There will continue to be arrangements for the Scottish voice to be heard on UK-wide subjects such as women's issues.

## **The Role of the United Kingdom Parliament**

Parliament is an essential part of UK politics. Parliament is comprised of the House of Commons and the House of Lords, both based within the Palace of Westminster. Parliament and government both play a part in forming the laws of the United Kingdom. The government is formed by the political party that wins the most seats in a general election, led by their party leader, who becomes Prime Minister. Parliament and government are separate institutions that work closely together. Parliament's main roles are:

### **Examining and challenging the work of the government (scrutiny)**

Parliament examines and challenges the work of the government. Both the House of Commons and the House of Lords use similar methods of scrutiny, although the procedures vary. The principal methods are

- questioning government ministers,
- debating
- investigative work of committees.

The government can publicly respond to explain and justify policies and decisions.

### **Debating and passing all laws (legislation)**

Both Houses hold debates in which Members discuss government policy, proposed new laws and current issues. Debates are designed to assist MPs and Lords to reach an informed decision on a subject. Votes are often held to conclude a debate, which may involve then passing or rejecting a proposed new law (legislation) or simply registering their opinion on a subject. All debates are recorded in a publication called 'Hansard' - available online at this weblink - <http://www.hansard-westminster.co.uk/>

Parliament is responsible for approving new laws (legislation). The government introduces most plans for new laws, or changes to existing laws - but they can originate from an MP, Lord or even a member of the public or private group. Before they can become law, both the House of Commons and House of Lords must debate and vote on the proposals.

### **Reserved powers**

With the advent of the Scottish Parliament in 1999, the UK Parliament retained authority over those sections of legislation not devolved, in addition to the authority over the devolved institutions – the Scottish Parliament, the Northern Ireland Assembly, and the Welsh Assembly. In terms of Scotland, authority over the following areas are retained by Westminster.

- the constitution, which is uncoded, that is to say there is no one document that contains the constitution of the UK Parliament. Rather the constitution is a collection of documents, customs and practices which have evolved over centuries, as one would expect of the world's oldest democracy;
- defence and national security, namely the armed forces and military intelligence services;
- fiscal, economic and monetary system which includes taxation and currency;
- trade and industry, including competition and customer protection;
- transport (not particular to Scotland) including railways, transport safety and regulation;
- Social security including housing benefit, and other services provided by the Dept of Works and Pensions;
- medical ethics - abortion; human fertilisation and embryology; genetics; xenotransplantation and vivisection;
- TV and radio broadcasting, and also telecommunications licensing;
- Foreign affairs, which ranges from relations with institutions such as the United Nations, to the provision of UK embassies throughout the world;
- the Civil Service who staff the various governmental organisations;
- immigration and nationality, including passport control;
- energy - electricity, coal, oil, gas, nuclear, and renewable;
- employment legislation, including working hours, and the minimum hourly rate;
- equal opportunities such as anti-discrimination legislation.

## **The Role of the European Parliament**

The European Parliament is the only directly-elected body of the European Union. The 785 Members of the European Parliament are elected once every five years by voters right across the 27 Member States of the European Union on behalf of its 492 million citizens.

The European Parliament plays an active role in drafting legislation which has an impact on the daily lives of its citizens: For example;

- on environmental protection, consumer rights, equal opportunities, transport, and the free movement of workers, capital, services and goods. The European Parliament also has joint power with the Council over the annual budget of the European Union.

The European Parliament has the authority to apply legislation in the UK but actually putting it into action may require the UK Parliament to pass new or amended legislation.

Further information on the work of the European Parliament can be found here

<http://www.europarl.europa.eu/parliament/public/staticDisplay.do?id=146&language=EN>

# ITEM 2

## **FALKIRK COUNCIL**

### **SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS (APPROVED – 28 MARCH, 2000)**

In terms of Part IV of the Local Government (Scotland) Act 1973 (hereinafter referred to as “the 1973 Act”), Falkirk Council (hereinafter referred to as “the Local Authority”) being a Local Authority within the meaning of that part of the Act, HEREBY makes a scheme for the establishment of Community Councils within its Administrative Area, as defined in paragraph 1 hereof and lays down the following code of procedure in accordance with which Community Council shall be constituted and managed:-

#### **1. ADMINISTRATIVE AREA**

The Administrative Area of the Local Authority is the Falkirk local government area as defined in Part I of Schedule 1 of the Local Government (etc) (Scotland) Act 1994 (hereinafter referred to as “the 1994 Act”) and shown outlined on the map docquetted and executed as relative hereto and submitted herewith (hereinafter referred to as “the map”).

#### **2. DESIGNATIONS & BOUNDARIES**

The Local Authority, having considered observations received from organisations representing particular sectors of the community and interested individuals and having taken into account the characteristics of their administrative area, has determined that local views are best reflected and local needs best served by the establishment of Community Councils in accordance with those areas named, defined and more particularly described in Schedule 1 annexed hereto and shown outlined and numbered on the Map.

#### **3. GENERAL PURPOSES OF COMMUNITY COUNCILS**

In addition to any other assumed function, the general purposes of a Community Council shall be:-

- (a) to safeguard and promote the best interests of the community in its area; and
- (b) to ascertain, co-ordinate and express to Falkirk Council and to public authorities, the views of the community which it represents in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable.

#### **4. COMPOSITION OF COMMUNITY COUNCILS**

##### **4.1 Initial Community Council Election**

In respect of each initial Community Council election after the commencement date of this Scheme, the total number of members shall be based on the population it represents in accordance with the numbers detailed in Schedule 1.

##### **4.2 Community Council Elections from September 2005**

The Local Authority has determined that in order to ensure that each Community Council is best suited to the size and needs of the area it represents, as from the first statutory meeting following the September 2001 elections, each Community Council shall by its constitution determine the composition of that council, with effect from September 2005, but that in accordance with the following provisions:-

- (a) each Community Council shall comprise not less than 9 and not more than 18 members.
- (b) each Community Council shall comprise not less than 6 and not more than 12 elected members (but with a minimum of two-thirds of its full membership being elected), which members shall be elected in the manner specified in paragraphs 6 and 7 hereof.
- (c) in any case where the number of candidates is equal to the number of members specified for the area concerned, no election shall be held and, on the date on which the election would have taken place had an election been necessary, those candidates shall be declared to be duly elected.
- (d) Where the number of candidates is less than the number of members to be elected for an area by the closing date for receipt of nominations, the Local Authority may allow the Community Council, after the date on which the election would have been held, to treat such vacancies as casual vacancies or may, notwithstanding the provisions of this Scheme, take such action as they deem appropriate.
- (e) Each Community Council shall provide for the appointment of additional members from nominations submitted by local organisations, the number of such additional members in relation to the number of elected members to be in accordance with the numbers detailed in Schedule 1.
- (f) Where the number of candidates does not exceed the number of vacancies for nominated members, such candidates shall be declared to be nominated members of the Community Council. Where the number of candidates is less than the number of vacancies, the Community Council shall forthwith inform the Local Authority which may allow such vacancies to remain unfilled or, notwithstanding the provisions of this Scheme, issue such direction to the Community Council or take such action as they may deem appropriate.
- (g) every Community Council shall invite to all meetings of the Community Council the Falkirk council members who represent the wards, or parts thereof within the area covered by the Community Council.
- (h) In addition, every Community Council shall be empowered and may resolve at any of its meetings to invite to any meeting or meetings of the Council for any specific purpose any person who in the opinion of the Council could offer advice which would be of assistance to the Council in considering any particular matter of Council business.
- (i) Casual vacancies occurring in a Community Council between elections shall be filled by co-option to full membership and any persons so co-opted shall hold office until the day of the next election. In the event of the number of casual vacancies occurring in any Community Council within one term of office exceeding one-third of the elected membership of the Community Council, the Community Council shall forthwith inform the Local Authority which may allow or refuse to allow the Community Council to co-opt a further number of members or, notwithstanding the provisions of this Scheme, issue such direction to the Community Council or take such action as they deem appropriate.

## **5. QUALIFICATION FOR ELECTION OR APPOINTMENT TO COMMUNITY COUNCILS**

Qualification for election in terms of paragraph 4(b) above and appointment in terms of paragraph 4(e) above to a Community Council shall be restricted to persons resident within the area which that Community Council represents and whose names appear in the relative electoral registers.

## **6. NOMINATION OF PERSONS FOR ELECTION TO COMMUNITY COUNCILS**

### **6.1 Quadrennial Elections**

- (a) At least six weeks in advance of the election date, the Local Authority shall publish a Notice seeking nominations and detailing the time, place and arrangements for the election and qualification of candidates.
- (b) Persons seeking election to a Community Council shall be nominated for election by nominations made by a proposer, a seconder and two assentors, all being persons whose names appear in the electoral registers for the respective Community Council's area and lodged with the Returning Officer, who shall be the Chief Executive of the Local Authority, at least 14 clear days before the date fixed for the election to take place. Proposers, seconders and assentors may not subscribe to more than one candidate's nomination.
- (c) Every nomination so made shall be endorsed by each person so nominated. If the number of nominations exceeds the places on a Community Council, an election shall be held.

### **6.2 Elections within the Normal Term**

Where an area is not represented by a Community Council elected at the quadrennial election date on receipt of an application from 20 electors from within the area, in accordance with Section 52(7) of the 1973 Act, the Local Authority shall fix a day for the initial election to the Community Council for that area, with the election being carried out following the procedure in paragraphs 6.1(a) to 6.1(c) and 7.

## **7. METHOD OF ELECTION**

- (a) the first quadrennial election in September 2001, and all subsequent elections, shall be by means of a postal ballot within the Community Council area, subject to the provision of 7(b).
- (b) subsequent elections will be held in accordance with the constitution of each Community Council, as approved by the Local Authority.
- (c) elections shall be conducted in accordance with the Scottish local elections rules 1986, except where otherwise provided in this scheme or the Community Council election procedure of the Local Authority.

## **8. APPOINTMENT OF REPRESENTATIVES OF LOCAL ORGANISATIONS**

It shall be the first duty of the Convener of each Community Council, following his/her election in terms of paragraph 11(a) hereof, to put in hand arrangements for the appointment of additional members from nominations submitted by local organisations in the manner following:-

- (a) He/she shall arrange for public notice to be given either by press advertisement or by the posting of notices in public places inviting all local organisations to nominate, within 28 days, a candidate who would be prepared to serve on the Community Council.
- (b) He/she shall arrange that, on receipt of all nominations, so as to ensure fair representation of varied interests, they be grouped under headings according to the branch of the community they represent, the number of headings to be in accordance with the number of members to be appointed. All nominations and the headings under which they have been grouped shall be submitted to the Local Authority for approval.



- (c) He/she shall then arrange for a list of the nominations grouped under the headings as approved by the Local Authority to be sent to all organisations which had submitted nominations as stated above so that voting on the list may take place, subject to each organisation being able to cast only one vote in respect of each group of nominations.
- (d) He/she shall then arrange for a meeting of the Community Council not later than three months after the date of the last election of elected Community Councillors for the purpose of receiving all votes and, following a count, the persons to be elected shall be so declared. In the event of two or more nominations in any one group having received an equal number of votes, the Convener shall call for a show of hands from those elected members of the Community Council present.

Nominated members of the Community Council shall not be appointed or hold office as Convener or other office bearer of the full Community Council but may be appointed to represent the Community Council on any committee or other body formed by the Community Council.

Nominated members shall retire at midnight on the day before the Community Council election following their appointment and members so retiring shall be not entitled to be re-nominated for the following four-year term.

## **9. FREQUENCY OF ELECTIONS OF MEMBERS**

Members appointed at the initial elections organised by the Local Authority in September 2001 shall hold office for the period until midnight on the day before the next ordinary election. Members appointed at subsequent quadrennial elections shall hold office for a period of four years and shall be eligible for re-election. Members appointed at an election within the normal four-year period shall hold office until the date of the next quadrennial election. No Community Council elections will be held within nine months before a quadrennial election.

## **10. CONSTITUTION OF COMMUNITY COUNCILS**

- (a) Each Community Council shall itself draw up, within the terms of this Scheme, a Constitution for its establishment and management, which Constitution shall include *inter alia* the following:-

1. The name of the Community Council.
2. The objects of said Council.
3. The area covered by the Council.
4. The size and composition of the Council.
5. Provision for the inclusion of youths between 16 and 18 years of age.
6. Election and/or appointment of the Council.
7. Election and duties of office holders.
8. Provision for removal of office holders from office.
9. Size and composition and functions of any Committees of the Council.
10. Finance and accounts.
11. Alterations to the Constitution, and
12. Dissolution Clause.

### **(b) Approval of Constitution**

Every Community Council shall submit its proposed Constitution, framed in accordance with the preceding sub-paragraph, for approval by the electorate within the Council's area and such approval shall be deemed to have been ordained by a majority of the electorate present voting accordingly at a public meeting convened by the Community Council for that purpose.

**(c) Ratification by Local Authority**

When approval of a Constitution has been obtained in terms of the preceding sub-paragraph, the relative Community Council shall then submit its approved Constitution to the Local Authority for ratification and, on said Constitution being so ratified, it shall become the Constitution of that Community Council.

**(d) Amendment of Constitution**

Every Community Council shall include in its Constitution regulations for the alteration or amendment of said Constitution and, in particular, provide that any proposed alterations or amendment shall be considered and voted on either at an Annual General Meeting of the Council or at a special meeting convened for that purpose in terms of paragraph 12(c) hereof and it is further declared that no alteration or amendment so approved shall become effective until such time as it has been ratified by the Local Authority.

**11. APPOINTMENT OF OFFICERS AND STAFF**

**(a) Convener and Depute Convener(s)**

Every Community Council at its first meeting, which shall be convened by the Returning Officer or his/her appointed depute for a date within 21 days after the election of Members (i) shall elect one of its members to be Convener of the Council; (ii) shall elect one or more of its members to be Depute Convener(s) of the Council; and (iii) shall elect or appoint a Secretary and Treasurer, as provided at 11(b).

**(b) Secretary and Treasurer**

Every Community Council shall be empowered to elect a secretary and/or treasurer from among its elected members but persons so elected shall not receive a salary from the Community Council. Every Community Council shall be empowered, as an alternative, to appoint a salaried secretary and/or treasurer from outwith their elected membership. The posts of secretary and treasurer may be combined in either case.

**(c) Term of Office**

The convener, depute convener(s), secretary and treasurer shall hold office until the date of the quadrennial election following their appointment, subject to the provision of their Community Council's constitution regarding (1) removal of office bearers and (2) the proceedings at annual general meetings.

**(d) Auditor**

The Local Authority shall appoint a qualified accountant, or accountants, to act as auditor or auditors from year to year in respect of the accounts of the finances of all Community Councils set up in accordance with the procedure specified in this Scheme and shall pay the auditor the usual professional remuneration for services on behalf of the Community Council.

## **12. MEETINGS OF COMMUNITY COUNCILS**

### **(a) Annual General Meeting**

Every Community Council shall in September each year following the year of the quadrennial election, convene an annual general meeting of the Council. The agenda for each annual general meeting shall include items for receiving the Council's annual report and the audited annual statement of accounts; a report of the Council's activities during the preceding year; provisions, when necessary, for considering and voting on proposals for amendment of the Council's constitution and any other business which can be competently dealt with at an annual general meeting. The constitution of a Community Council may provide for the annual election of the Convener, Depute Convener(s), Secretary and Treasurer at their annual general meeting.

### **(b) Ordinary Meetings**

Every Community Council shall be bound to convene at least nine ordinary meetings of the council within each twelve month period for the purpose of conducting business.

### **(c) Special Meetings**

The Convener of each Community Council, in consultation with at least one other office bearer or as provided for in the constitution of the Community Council, shall have the right to convene a special meeting of the Council to consider any particular matter or matters. Further, every Community Council shall be empowered to convene a special meeting of the electorate within the Council's area for the purpose of approving any amendment of the Council's Constitution or considering any urgent item of business.

### **(d) Meetings Open to the Public**

The Constitution of every Community Council shall provide that all meetings of the Council shall be open to members of the public.

## **13. FINANCIAL ASSISTANCE**

### **(a) Initial Expenses**

Until full annual budgets and allowances for Community Councils are prepared and approved by the Local Authority, the Local Authority shall make available the sum of £250, subject to annual review, to each Community Council set up in terms of the Scheme to cover its initial administrative and running expenses.

### **(b) Annual Budget**

The Local Authority agrees in principle that financial assistance shall be given to Community Councils. Community Councils shall prepare and submit to the Local Authority by 1 April each year details of their ordinary annual income and expenditure including administrative costs such as accommodation, stationery, postage and salaried assistance and, having considered such estimates, the Local Authority shall then allocate in such proportion as it may decide the monies to be set aside for this purpose.

### **(c) Specific Grants**

Community Councils shall also have the right to submit requests for assistance in connection with specific projects and needs and, having considered all such requests made in respect of

any one year, the Local Authority may then allocate in such proportion as it may decide any monies available for this purpose.

**(d) Accounts**

The treasurer of a Community Council shall keep proper accounts of the finances of this Council in such form as may be approved by the appointed auditor and the Director of Finance of the Local Authority.

**(e) Audit of Accounts**

Accounts of the finances of a Community Council shall be audited by the auditor or auditors to be appointed in terms of paragraph 11(d) hereof.

**(f) Submission of Audited Accounts to Annual General Meeting**

An audited statement of accounts for the past financial year shall be submitted by each Community Council to the Annual General Meeting of such Council and immediately thereafter a certified abstract of same shall be transmitted to the Local Authority for information.

**14. EXCHANGE OF INFORMATION**

**(a) Code of Practice**

The Local Authority agrees that an efficient and comprehensive exchange of information between the Local and Public Authorities and the Community Councils within its area should be established and will arrange for a Code of Practice to be framed making provision for (i) the supply of information by the Local and Public Authorities on matters falling within the responsibility of these Authorities to all or any of the Community Councils within its administrative area both before decisions are taken and after they have been taken as far as this is practicable, and (ii) the supply of information by the Community Councils as to their views, opinions and activities by the provision of reports and recommendations and the circulation of copies of their minutes.

**(b) Approval of Code of Practice**

The Local Authority shall arrange such consultations as may be necessary with representatives of Falkirk Council, appropriate Public Authorities and each established Community Council for the purpose of considering and approving the terms of the said Code of Practice and the Local and Public Authorities and each Community Council within its administrative area shall agree to adhere to the terms so approved.

**(c) Liaison Officer**

The Local Authority shall also identify an officer who shall be responsible for ensuring that a satisfactory system for exchange of information is established and maintained.

**15. AMENDMENT OF SCHEME**

Having regard to changing circumstances and to any representations made to them, the Local Authority shall, from time to time, review this scheme and where it considers that the scheme ought to be amended, it shall proceed in accordance with the provisions contained in Section 53 of the 1973 Act.

**16. COMMENCEMENT DATE**

- (a) This scheme shall come into operation on such date as the same is approved by the Local Authority in accordance with sub-section 3(d) of Section 22 of the 1994 Act.
- (b) Notice of said date shall be published in accordance with sub-section 3(e) of Section 22 of the 1994 Act.

Date: 28 March 2000

PR/AF

## COMMUNITY COUNCILS

- 1 Denny and District
- 2 Banknock, Haggs, Longcroft and Dennyloanhead
- 3 Bonnybridge
- 4 Slamannan & Limerigg
- 5 Falkirk South (Including Hallglen, Glen Village, Lochgreen and Lionthorn)
- 6 Camelon, Bantaskine and Tamfourhill
- 7 Falkirk Central
- 8 Stenhousemuir/Larbert
- 9 Airth Parish
- 10 Carron and Carronshore
- 11 Bainsford, Langlees and Newcarron
- 12 Grahamston, Middlefield and Westfield
- 13 Reddingmuirhead and Wallacestone,
- 14 Avonbridge and Standburn
- 15 Maddiston
- 16 Lower Braes (Including Laurieston, Redding and Westquarter)
- 17 Shieldhill and California
- 18 Grangemouth (Including Skinflats)
- 19 Polmont
- 20 Brightons
- 21 Whitecross
- 22 Bo'ness
- 23 Blackness

# **PROPOSED MODEL COMMUNITY COUNCIL** **CONSTITUTION**

## **1. NAME**

The name of the Council shall be \* Community Council (hereinafter referred to as "the Council"), as determined by the Council at its first meeting after elections.

## **2. AREA**

The boundaries of the Council shall be as shown on the map attached to the Falkirk Council's Scheme for the Establishment of Community Councils (attached as Appendix 1 and hereinafter referred to as "the Scheme").

## **3. OBJECTS**

The objects of the Council shall be:-

to ascertain, co-ordinate and express to the Falkirk Council and to public authorities, the views of the community which it represents in relation to matters for which those authorities are responsible;

to take such action in the interests of the community as appears to it to be expedient and practicable;

to safeguard and promote the best interests of the community and to foster a community spirit.

The Council shall be non-party in politics.

## **4. MEMBERSHIP**

### **4.1 From September 2001 to September 2005**

The Council shall consist of \* elected members and \* appointed representatives of local organisations with, in addition, such members as may be co-opted in terms of Clause 5 hereof.

### **4.2 From September 2005**

The Local Authority has determined that, in order to ensure that each Community Council is best suited to the size and needs of the area which it represents, as from the first statutory meeting following the September 2001 elections, each Community Council shall by its constitution determine the composition of that Council, with effect from September 2005, but that in accordance with paragraphs 4.2 (a) to 4.2 (1) of the Scheme.

**5. QUALIFICATION FOR ELECTION, NOMINATION PROCESS AND METHOD OF ELECTION - ELECTED AND NOMINATED MEMBERS**

The qualifications for election, the nomination process, the method of election and the process for dealing with nominations from local organisations are detailed in paragraphs 5-9 of the Scheme

**6. CO-OPTION TO THE COUNCIL**

**Co-option** - Where, following any election, the number of elected members is less than \*, but not less than \*, the elected members may fill the shortfall by co-opting persons in accordance with Paragraph 4(b) of the Scheme to fill all or any of the vacancies existing. Casual vacancies occurring between elections may be filled in like manner. Any decision of the Council to co-opt persons to the Council must be supported by at least two-thirds of the elected and nominated but not co-opted members of the Council in respect of each co-option.

The total number of co-opted persons must at no time exceed one-third of the elected membership.

Co-opted members shall hold office until the next following election, shall have the same status as elected members and for the purposes of this constitution, shall be regarded as elected members.

**7. PROVISION FOR THE INCLUSION OF YOUTHS BETWEEN 16 AND 18 YEARS OF AGE**

(This clause requires to be drawn up in accordance with the wishes of each Community Council).

**8. VOTING RIGHTS OF MEMBERS OF THE COUNCIL**

The right to vote at any meeting of the Council or any committee or sub-committee thereof shall be held by the elected members and appointed representatives of local organisations and co-opted members, only excepting that co-opted members shall not have the right to vote on the matters specified in Clauses 5, 15 and 16 hereof.

**9. MEETINGS OF THE COUNCIL**

Meetings of the Community Council, including Annual General Meetings and Special Meetings, shall be held in accordance with paragraph 12 of the Scheme.



## **10. ELECTION OF OFFICE BEARERS AND APPOINTMENT OF STAFF**

Election of office bearers and appointment of staff of the Community Council shall be in accordance with paragraph 11 of the Scheme.

## **11. REMOVAL OF OFFICE-HOLDERS FROM OFFICE**

In the event of any Chairperson, Vice-Chairperson or Secretary or Treasurer being found unfit to hold such office, which shall be a matter for the Community Council and Falkirk Council to decide together, the holder of that office shall vacate such post immediately upon such a decision being made, whereupon the Council shall elect a new holder of the vacated office as specified in Clause 10 hereof.

## **12. COMMITTEES AND SUB-COMMITTEES**

The Council may appoint such committees or sub-committees or working parties as it may from time to time decide and shall determine their composition, terms of reference, duration, duties and powers, subject always to the approval of Falkirk Council.

## **13. PUBLIC PARTICIPATION IN THE WORK OF THE COUNCIL**

- (a) The Council may invite a member of the public or the representative of an organisation to address any meeting of the Council or a committee or sub-committee thereof, but such persons will not have the right to vote at any such meeting.
- (b) All meetings of the Council and of committees and sub-committees thereof, shall be open to members of the public.
- (c) Notices calling the meetings of the Council and of committees and sub-committees thereof shall be posted prominently within the Council area.
- (d) Copies of all minutes of meetings of the Council and of committees and sub-committees thereof shall, pending approval, be available for inspection by members of the public at a suitable place or places within the area as soon as practicable after the meeting to which they refer.
- (e) Once in each year, in the month of September, the Council shall convene an Annual General Meeting for the purposes of submitting the annual report of the Council and the annual audited statement of accounts.

- (f) The Council may from time to time call Special General Meetings for the purpose of considering matters of interest and importance. (Paragraph 12(c) of the Scheme provides for Community Councils to include arrangements for this in their constitution).
- (g) \* members of the community shall constitute a quorum for Annual and Special General Meetings of the Council.
- (h) The Council may appoint, for specific purposes or projects, committees or sub-committees or working parties composed of members of the Council and of others with appropriate knowledge of skills.

#### **14. INFORMATION TO THE COUNCIL**

Falkirk Council shall be sent a copy of the notice of all meetings, the minutes of all meetings, the annual report, the annual financial statement and other suitable information, as the Council may decide.

#### **15. CONTROL OF FINANCE**

- (a) All monies raised by or on behalf of the Council or provided by local authorities shall be applied to further the objects of the Council and for no other purposes.
- (b) The Treasurer shall keep proper accounts of the finances of the Council.
- (c) The financial year of the Council shall be from 1 April, until 31 March of the succeeding year. The accounts shall be submitted to Falkirk Council within two weeks of the end of each financial year and shall be audited by a professional auditor appointed by Falkirk Council. All estimates for financial assistance requested to be granted to the Council shall be made to Falkirk Council by 31 October in each year for the financial year commencing 1 April following.
- (d) An audited statement of accounts for the last financial year shall be submitted to a meeting of the Council and thereafter to the Annual General Meeting and shall be available for inspection at \*.

#### **16. TITLE OF PROPERTY**

Property and other assets belonging to the Council shall be vested in the Chairperson, Vice-Chairperson, Secretary and Treasurer of the Council and their successors in these respective offices.

## 17. ALTERATIONS TO THE CONSTITUTION

Any proposal to alter this Constitution must be delivered in writing to the Secretary of the Council not less than twenty eight days prior to the date of the meeting at which it is first to be considered and the terms of the proposed

resolution to alter the Constitution shall be stated on the notice calling the meeting which shall be issued not less than fourteen days prior to the meeting. If the resolution is supported by two-thirds of the combined elected and nominated, but not co-opted membership of the Council and is approved, in writing, by Falkirk Council, the alteration shall be deemed to have been duly authorised.

## 18. DISSOLUTION

If the Council by a two-thirds majority of the total elected and nominated, but not co-opted membership decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve, it shall agree at date for a public meeting to be held to discuss the proposed resolution to dissolve and not less than fourteen days prior to the date of such meeting shall cause public notice to be given (by means of notification in the \*, the local newspaper, attachment to and at public noticeboards, etc.) indicating the terms of the proposed resolution and that persons qualified in accordance with Clause 4(b) will be permitted to vote at the proposed meeting. If the resolution is supported by a two-thirds majority of those persons present and qualified to vote and is approved by Falkirk Council, the Council shall be deemed to be dissolved and all assets remaining after the satisfaction of any proper debts or liabilities shall transfer to Falkirk Council who shall hold same in Trust for a future Community Council for the area or for such other local organisation, having objects similar to those of the Community Council, which the Falkirk Council may recognise as an appropriate replacement for the Community Council for the area.

In the event that the Council is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a Council for the area, these electors shall submit a requisition to Falkirk Council in accordance with Section 52(7) of the Local Government etc. (Scotland) Act 1994 on receipt of which the Returning Officer shall arrange for elections to be held in accordance with the Scheme.

Where for any reason the number of elected members on the Council falls below \*, Falkirk Council may, by suspending the Constitution of the Council cause the Council to be dissolved and in this event, the procedures for the establishment of a new Community Council, being those adopted for the purposes of the initial elections of Community Councils and as detailed in Paragraph 7 of the Scheme and the Community Council Election Rules shall be initiated by the Returning Officer.

# ITEM 3

# **MODEL SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS IN SCOTLAND**

## **1. Introduction**

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, which produced the current system of unitary local authorities, made provision for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a community council in their area.

The Model Scheme for Community Councils in Scotland is designed to enable the establishment of community councils across Scotland to provide a common minimum basic framework governing their creation and operation.

## **2. Statutory Purposes**

The statutory purposes of community councils established under the Model Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

***“In addition to any other purpose which a community council may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable”***

## **3. The Role and Responsibilities of Community Councils**

The general purpose of community councils is to act as a voice for their local area. This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their local authority, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the community council will have in place, in consultation with the local authority, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community.

Community councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between community councils, the local authority and other public sector and private agencies.

Community councils may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their Constitution and the terms of the Council's Scheme for the Establishment of Community Councils.

There should be mutual engagement in the establishment of working relationships with the local authority and other agencies.

In carrying out their activities community councils must at all times adhere to the law, the terms of the Council's Scheme for the Establishment of Community Councils and the Community Councillors' Code of Conduct.

Each community council is required to adopt a Constitution, based upon the Model Constitution (Appendix I), which has been produced for national use, together with Model Standing Orders (Appendix II), to encourage and maintain consistency for all community councils and to facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. The community council's Constitution is required to be approved by the local authority.

Community councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community. In order to fulfil their responsibilities as effective and representative, community councils shall: -

- Inform the community of the work and decisions of the community council by posting agendas and minutes of meetings in public places, such as libraries and notice boards and, subject to the provisions contained within the Data Protection Act 1998, provide contact details of community council members.
- Agendas and draft minutes of community councils' meetings must be presented to the local authority within 14 days from the date of that meeting and be circulated to community council members, relevant elected members and other interested parties.
- Seek to broaden both representation and expertise by promoting the Associate Membership of the community council of persons for specific projects/issues.

- Make particular efforts to encourage young people and other under-represented groups to attend/participate in community council meetings and to ensure equality of opportunity in the way the community council carries out its functions.
- Maintain proper financial records and present financial reports at community council meetings. An example of a standard format for community councils' financial record-keeping is featured in the Guidance Notes accompanying the Model Scheme.
- Inform the local authority of any change in membership (resignations, Associate Membership, etc.) and circumstances, as soon as is practicable.

#### **4. Community Council Areas within Local Authority Areas**

The local authority has produced a list of named community council areas and a map or maps that define their boundaries. The list of community areas is attached as Appendix III to the Scheme.

#### **5. Membership of Community Councils**

There shall be minimum and maximum membership numbers of elected community councillors in a community council. Due to the diverse nature of local authority areas, where there may be areas of sparse population relative to geographical disposition, such as island communities, each local authority may set its own formula for the definition of a minimum and maximum number of community council members in any community council area.

The minimum age to stand for election as a community councillor is 16 years. Qualification for membership is by residency within the specific community council area. Community councillors and candidates for community council membership must also be named on the electoral register for the community council area in which they reside. There shall be provision made for non-voting Associate Membership for purposes as defined by each community council. For example, for persons under 16 years of age. Such persons will not be counted in terms of meeting a quorum, or towards the total number of community council members.

Elected members of the local authority and members of the Scottish, United Kingdom and European Parliaments are entitled to become *ex-officio* members of community councils, with no voting rights. A broad outline of the remit and responsibilities of each of these institutions is featured in the Guidance Notes accompanying the Model Scheme.

## **6. Establishment of Community Councils under the Model Scheme**

Upon the local authority's revocation of its existing Scheme for the Establishment of Community Councils and decision to make a new Scheme, it shall publish a Public Notice, which shall invite the public to make suggestions as to the areas and composition of the community councils. Thereafter, a consultation process shall be undertaken prior to its formal adoption by the local authority.

## **7. Community Council Elections**

### **Eligibility**

Candidates wishing to stand for election to a community council must reside in the local area and be named on the Electoral Register for that area. The same criteria shall apply to voters in a community council election.

Sixteen and 17 year-olds residing in the community council area and named on the Electoral Register for that area are also entitled to both stand for the community council and vote in any election. A supplementary electoral register may be compiled in circumstances relative to 16 and 17 year-olds and for new residents.

Any community council member who no longer resides within that community council area is deemed to have resigned from that community council.

Any individual who is elected to serve on this local authority, or the Scottish, UK or European parliament shall be ineligible to remain a community councillor, or to stand for election to a community council. Such persons, upon taking office, become *ex-officio* members of the community councils contained in whole or in part of their electoral constituency.

### **Nominations and Elections**

The first elections to be held under the Scheme shall be held on a date to be determined by the local authority.

Subsequent elections will be held on a four-yearly-cycle, outwith local government election years, on dates to be determined by the local authority. Where the number of established community councils exceeds a level to be determined by the local authority, elections for a proportion of the total number of established community councils within the 4-yearly cycle may be arranged. Should community councils' election cycle fall in the year of Scottish local government or parliamentary elections, the electoral proceedings will be held in the following year.

The local authority will administer all elections.



## Returning Officer

The local authority will appoint an Independent Returning Officer. The Independent Returning Officer must not be a current elected member of that community council nor intending to stand for election to that community council.

## Nominations

Individuals seeking election to a community council require to be nominated by a proposer and seconder, both of whom must be on the Electoral Register for that community council area. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

A nomination form should be completed, the style of which will be described within the Guidance Notes. Nomination forms require to be submitted on the date set down in the election timetable. No nomination forms submitted after that date will be accepted.

## Process

On the expiry of the period for lodging nominations:

1. Should the number of candidates validly nominated equal or exceed **HALF**, but be less than or equal to the total maximum permitted membership as specified for the community council area in Appendix IV of the Scheme, the said candidates will be declared to be elected and no ballot shall be held.
2. Should the number of candidates validly nominated exceed the total maximum permitted membership as specified for the community council area, arrangements for a Poll shall be implemented. At the Poll, each voter shall be entitled to vote for candidates up to the number of vacancies on the community council.
3. Should the number of candidates elected, be below **HALF** of the total maximum permitted membership, as specified for the community council area, no community council will be established at that time. However, that does not preclude the local authority from issuing a second call for nominations for a community council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for nominations.

## Method of Election

Elections will be based on whole local authority areas or devolved administrative areas, as deemed appropriate. Ideally, elections will take place across whole local authority areas at one time. However, large local authorities may need to take an incremental approach to elections across their area, over a specified period of time or cycle. Community councils shall be elected on a simple majority basis.

## **Filling of casual places/vacancies between elections**

Casual vacancies on a community council may arise in the following circumstances:

- When an elected community council member submits her/his resignation;
- When an elected community council member ceases to be resident within that community council area;
- When an elected community council member has her/his membership disqualified (Clause 9).

Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with the local authority. Filling a vacancy can be undertaken either through the process of an interim election or by co-option. However, should circumstances arise that lead to the number of elected community councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held, as described within the Guidance Notes.

## **Co-option to Community Councils**

Co-opted members must be eligible for membership of the community council as detailed in Section 5 of the Community Council Scheme. They must be elected onto the community council by a two-thirds majority of the elected (general and interim) community councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (general and interim). Notice of any proposed co-option procedure is required to be intimated to all of that community council's members at least 14 days prior to the meeting when the matter will be decided.

The number of co-opted members may not exceed a **THIRD** of the current elected (general and interim) community council membership. Should the ratio of co-opted to elected community councillors become greater than one third, due to any circumstances, an interim election process shall be triggered.

## **Additional Membership**

### *Associate Members*

Associate members may be appointed by a community council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights. Associate members may serve for a fixed period as determined by the community council or for the term of office of the community council that has appointed them. Associate members may also include representation from other constituted local voluntary organisations.

### *Ex-Officio Members*

Local Authority Councillors, MPs, MSPs and MEPs whose wards or constituencies fall wholly or partly within the geographical area of the community council area shall be deemed ex-officio members of the community council. Ex-officio members shall have no voting rights on the community council.

## **8. Equalities**

Recognition should be given to the contribution of everyone participating in the work of the community council. Community councils must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

## **9. Disqualification of Membership**

Membership of a community council is invalidated should a community councillor's residency qualification within that community council area cease to exist. If any member of a community council fails to attend any community council meeting, with or without submitting apologies, throughout a period of 6 months, the community council may terminate their membership. At the discretion of individual community councils, a period of leave of absence for community council members may be granted at any meeting of the community council.

## **10. Meetings**

The first meeting of a community council following a community council election, will be called by an independent Returning Officer approved by the local authority and will take place within 21 days of the date of the election, or as soon as practicable thereafter. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing community council.

The frequency of meetings will be determined by each community council, subject to a minimum of one annual general meeting and 6 ordinary meetings being held each year. The annual general meeting shall be held in a month of each year to be determined by the local authority.

The quorum for community council meetings shall be one third of the current voting membership of a community council, or 3 voting members, whichever is the greater.

An outline for the content of business that community councils should adhere to when holding ordinary, special and annual general meetings is contained within the Model Standing Orders.

## **11. Liaison with the Local Authority**

In order to facilitate the effective functioning of community councils, the local authority has identified an official to act as a Liaison Officer with community councils. Unless there is a specific agreement or an issue is a specific departmental issue, all correspondence between the local authority and the community councils should, in the first instance, be directed through that official.

Community councils may make representations to the local authority and other public and private agencies, on matters for which it is responsible and which it considers to be of local interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate local authority official. On issues where a local authority department is consulting with community councils, representations should be made to the appropriate departmental officer.

Community councils shall provide copies of their agendas and minutes within prescribed timescales to the Council via the local authority's named official.

## **12. Resourcing a Community Council**

The financial year of each community council shall be provided for in the constitution of each community council and shall be from **(to be determined by the local authority)** to **(to be determined by the local authority)** in each succeeding year to allow for the proper submission of audited statement of accounts to the community council's annual general meeting on a specified date.

The Annual Accounts of each community council shall be independently examined by at least two examiners appointed by the community council, who are not members of that community council. A copy of the independently examined statement of accounts/balance sheet shall be forwarded immediately thereafter the statement is approved at the community council's annual general meeting, to a named official of the local authority.

The named official may, at their discretion and in consultation with the Council's Chief Financial Officer, require the community council to produce such records, vouchers and account books, as may be required.

Each community council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.

Each community council shall be eligible to apply for grants for suitable projects through the local authority's grant system.

The local authority may provide an initial administrative grant to community councils to assist with the operating costs of the community council. The grant shall be fixed at a minimum flat rate of £ **(to be determined by the local authority)** with an additional minimal -p. **(to be determined by the local authority)** per head of population.

The local authority shall determine any additional support services/resourcing, such as: photocopying and distribution of community council minutes, agendas and free lets of halls for community council meetings, to suit local requirements. The local authority will review the level of annual administrative grant and other support to community councils following each local government electoral cycle.

The local authority's Liaison Officer shall facilitate advice and assistance to community councils and arrange for the establishment of a training programme for community councils on the duties and responsibilities of community council office bearers, the role of community councils, the functions of the local authority and other relevant topics.

### **13. Liability of Community Council Members**

A national scheme of insurance liability cover has been arranged. The insurance liability cover becomes effective upon the local authority advising the insurance underwriter of the establishment of a community council.

### **14. Dissolution of a Community Council**

The terms for dissolution of a community council are contained within the Model Constitution.

Notwithstanding these terms, should a community council fail to hold a meeting for a period of 3 consecutive prescribed meeting dates, or its membership falls below the prescribed minimum for a period of 3 consecutive prescribed meeting dates (during which time the community council and the local authority have taken action to address the situation), the local authority shall take action to dissolve that community council.

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# **MODEL CONSTITUTION FOR COMMUNITY COUNCILS**

## **1. Name**

The name of the COMMUNITY COUNCIL shall be ..... (referred to as “the COMMUNITY COUNCIL” in this document).

## **2. Area of the Community Council**

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the local authority’s Scheme for the Establishment of Community Councils.

## **3. Objectives**

The objectives of the COMMUNITY COUNCIL shall be:

- (a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
- (b) to express the views of the community to the local authority for the area to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community and to foster community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

## **4. Role and Responsibilities**

In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its membership shall have regard to their role and responsibilities as set out in paragraph 3 of the Scheme for the Establishment of Community Councils, approved by the local authority and the Community Councillors’ Code of Conduct.

## **5. Membership**

The COMMUNITY COUNCIL’S membership is as governed by paragraph 5 of the Scheme for the Establishment of Community Councils and as determined from time to time by the local authority.

## **6. Method of Election**

Election procedures shall be governed by the method of election laid down in paragraph 7 of the Scheme for the Establishment of Community Councils.

## 7. Casual Vacancies on the Community Council

Where a vacancy arises which does not result in the number of COMMUNITY COUNCILLORS falling below the minimum number as specified in paragraph 5 of the Scheme for the Establishment of Community Councils, and at least 6 months has passed since the last election, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

- (a) an extraordinary general meeting be held in order that the vacancy (and any other outstanding vacancies) can be filled, on the basis that such vacancies would be publicised, nominations invited and an election held where the number of candidates exceeded the number of places available. Interim elections will be administered by the local authority.
- (b) the filling of a vacancy by co-option with voting rights to a maximum of one quarter of the total membership of the community council as governed by paragraph 7 of the Scheme for the Establishment of Community Councils.
- (c) the vacancy to be left unfilled until local public interest is expressed or until the next set of regular elections.

## 8. Voting Rights of Members of the Community Council

The right to vote at any meeting of the COMMUNITY COUNCIL or any committee thereof, shall be held by all COMMUNITY COUNCILLORS whether elected or co-opted, but not by Associate Members appointed for specific issues on a temporary basis, or *ex-officio* members. With the exception of circumstances which may arise under the **Scheme for the Establishment of Community Councils**: Clause 7 – Community Council Elections [Co-option]; and **Constitution**: Clause 16 – Alterations to the Constitution and its Clause 17 – Dissolution, all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.

In the event of a vote of the community councillors that results in a majority not being achieved, the chairperson shall have a casting vote.

## 9. Election of Office-Bearers

- (a) At the first meeting of the COMMUNITY COUNCIL after elections in the year when elections are held and at the Annual General Meeting in **(to be determined locally)** in the year when elections are not held, the COMMUNITY COUNCIL shall appoint a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide.
- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.

- (c) Without the express approval of the local authority, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary or Treasurer.

## **10. Committees of the Community Council**

The COMMUNITY COUNCIL may appoint representatives to committees of the COMMUNITY COUNCIL and shall determine their composition, terms of reference, duration, duties and powers.

## **11. Meetings of the Community Council**

- (a) The quorum for COMMUNITY COUNCIL meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- (b) Once in each year in the month of **(to be determined by the local authority)** the COMMUNITY COUNCIL shall convene an annual general meeting for the purpose of receiving and considering the Chairperson's annual report on the COMMUNITY COUNCIL, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (c) Including the annual general meeting, the COMMUNITY COUNCIL shall meet not less than 7 times throughout the year.
- (d) Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be fixed at the first meeting of the COMMUNITY COUNCIL following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 10 days public notice, either called by the Chairperson, or on the request of not less than one-half of the total number of COMMUNITY COUNCIL members. An officer of the local authority has the discretion to call a meeting of the COMMUNITY COUNCIL.
- (e) Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL, but the draft minute shall be circulated within 14 days from the date of that meeting, to COMMUNITY COUNCIL members, other appropriate parties and the local authority's liaison officer for COMMUNITY COUNCILS.
- (f) The COMMUNITY COUNCIL shall abide by its Standing Orders for the proper conduct of its meetings.



- (g) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a written request (petition), signed by at least 20 persons resident within the COMMUNITY COUNCIL area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it in the manner prescribed locally for special meetings called by the COMMUNITY COUNCIL.
- (h) The COMMUNITY COUNCIL can meet to discuss items of business in private where it considers it appropriate to do so. The decision to meet in private will be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way. However, the Notice will record that the meeting, or a part thereof, shall be held in private.

## **12. Public Participation in the Work of the Community Council**

- (a) All meetings of the COMMUNITY COUNCIL and its committees (subject to 11(h), above) shall be open to members of the public. Proper provision is to be made for the accommodation of members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chairperson.
- (b) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area for a minimum period of ten days before the date of any such meeting, and, where possible, be advertised by other suitable means.

## **13. Information to the Local Authority**

The local authority's liaison officer shall be sent an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting, minutes of all meetings, the annual report, the annual financial statement and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and the local authority. When special meetings of the COMMUNITY COUNCIL are to be held, the local authority's liaison officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 10 days in advance of the meeting date.

#### 14. Control of Finance

- (a) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by the local authority and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by the local authority in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the community council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.
- (b) The treasurer shall undertake to keep proper accounts of the finances of the community council.
- (c) Any two of three authorised signatories, who would normally be office-bearers of the community council, may sign cheques on behalf of the COMMUNITY COUNCIL. Authorised signatories may not be co-habitees.
- (d) A statement of accounts for the last financial year, independently examined by two examiners appointed by the COMMUNITY COUNCIL, who are not members of this COMMUNITY COUNCIL, shall be submitted to an annual general meeting of the COMMUNITY COUNCIL and shall be available for inspection at a convenient location.
- (e) The financial year of the COMMUNITY COUNCIL shall be from **(to be determined by the local authority)** until **(to be determined by the local authority)** the succeeding year. Examined accounts as received and approved by the COMMUNITY COUNCIL at the annual general meeting shall be submitted to the local authority following approval at the community council's annual general meeting.

#### 15. Title to Property

Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices.

#### 16. Alterations to the Constitution

Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a meeting of the COMMUNITY COUNCIL and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for the Establishment of Community Councils.

If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL and is approved in writing by the local authority, the alteration shall be deemed to have been duly authorised and can then come into effect.

## **17. Dissolution**

If the COMMUNITY COUNCIL by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. It is a requirement that not less than ten days prior to the date of such meeting a public notice be given by means of notification in the local newspaper. If the resolution is supported by a majority of those persons present and qualified to vote and is approved by the local authority, the COMMUNITY COUNCIL shall be deemed to be dissolved and all assets remaining, subject to the approval of the local authority, after the satisfaction of any proper debts or liabilities shall transfer to the local authority who shall hold same in Trust for a future COMMUNITY COUNCIL representing that area.

In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a COMMUNITY COUNCIL for the area, these electors shall submit a requisition to the local authority in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with the Scheme for the Establishment of Community Councils.

Where for any reason, the number of COMMUNITY COUNCIL members falls below the minimum specified in the Scheme for the Establishment of Community Councils the local authority may, by suspending the Constitution of the COMMUNITY COUNCIL, cause the COMMUNITY COUNCIL to be dissolved and in this event, the procedures for the establishment of a new COMMUNITY COUNCIL being those identified in the immediately preceding paragraph hereof, shall be initiated.

**18. Approval and adoption of the Constitution**

This Constitution was adopted by .....  
COMMUNITY COUNCIL, on

.....

Signed: Chairman

.....

..... Member

..... Member

..... Date

and was approved on behalf of ..... Council on

.....

..... Signed

..... Date

---

## **MODEL STANDING ORDERS**

### **1. Meetings (all held in public)**

- (a) Ordinary meetings of the COMMUNITY COUNCIL shall be held in the months of ..... [to be entered]. Special Meetings may be called at any time on the instructions of the Chairperson of the community council on the request of not less than one-half of the total number of COMMUNITY COUNCIL members; or the receipt of a common written request (petition), signed by at least 20 persons, resident within the COMMUNITY COUNCIL area, to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting. A special meeting shall be held within 14 days of the receipt of the request made to the Secretary of the COMMUNITY COUNCIL. Annual general meetings are held annually.
- (b) The notice of ordinary and annual general meetings of the COMMUNITY COUNCIL, featuring the date, time and venue, shall be provided to each COMMUNITY COUNCIL member and the local authority's named official by the Secretary of the COMMUNITY COUNCIL, at least 10 days before the date fixed for the meeting.

### **2. Minutes**

Minutes of the proceedings of a meeting of the COMMUNITY COUNCIL shall be drawn up within fourteen days from the date of that meeting, distributed in accordance with paragraph 3 of the Scheme of Community Councils and shall, following their approval, be signed at the next meeting of the COMMUNITY COUNCIL by the person presiding thereat and retained for future reference.

### **3. Quorum**

A quorum shall be one-third of the current voting membership of the COMMUNITY COUNCIL, or 3 voting members, whichever is the greater.'

### **4. Order of Business**

#### **(i) Ordinary Meeting**

The order of business at every ordinary meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last meeting of the COMMUNITY COUNCIL shall be submitted for approval.
- (c) Any other item of business, which the Chairperson has directed, should be considered.

- (d) Any other competent business.
- (e) Questions from the floor.
- (f) Chairperson to declare date of next meeting and close meeting.

**(ii) Annual General Meeting**

It will not be uncommon that the COMMUNITY COUNCIL has arranged for an ordinary meeting of the COMMUNITY COUNCIL to begin at the close of the annual general meeting, to enable any outstanding reporting on business matters to be heard; and for COMMUNITY COUNCIL members and members of the public to have an opportunity to bring matters to the attention of the COMMUNITY COUNCIL, possibly for inclusion on a future agenda.

The order of business at every annual general meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last annual general meeting of the COMMUNITY COUNCIL shall be submitted for adoption.
- (c) Chairperson's Annual Report (and questions from the floor).
- (d) Secretary's Annual Report (and questions from the floor).
- (e) Treasurer's submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- (f) Demit of current office bearers/election of office bearers.
- (g) Chairperson to declare date of next annual general meeting and close meeting.

**(iii) Extraordinary General Meeting**

The order of business at every extraordinary general meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) Business for debate, as described in the calling notice for the special meeting.
- (c) Chairperson to close meeting.

## **5. Order of Debate**

- (a) The Chairperson shall decide all questions of order, relevancy and competency arising at meetings of the COMMUNITY COUNCIL and her/his ruling shall be final and shall not be open to discussion. In particular, the Chairperson shall determine the order, relevancy and competency of all questions from the public in attendance at meetings of the COMMUNITY COUNCIL raised at 4, above. The Chairperson in determining the order, relevance and competency of business and questions shall have particular regard to the relevance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chairperson shall have the power, in the event of disorder arising at any meeting, to adjourn the COMMUNITY COUNCIL meeting to a time he/she may then, or afterwards, fix.
- (b) Every motion or amendment shall be moved and seconded.
- (c) After a mover of a motion has been called on by the Chairperson to reply, no other members shall speak to the question.
- (d) A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.
- (e) A motion or amendment which is contrary to a previous decision of the COMMUNITY COUNCIL shall not be competent within six months of that decision.

## **6. Voting**

- (a) Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, at an annual general meeting, the election of office bearers may be held by secret ballot.
- (b) The Chairperson of a meeting of the COMMUNITY COUNCIL shall have a casting vote as well as a deliberative vote.

## **7. Alteration of Standing Orders**

A proposal to alter these Standing Orders may be proposed to the local authority to be altered or added to at any time by the COMMUNITY COUNCIL, provided that notice of motion to that effect is given at the meeting of the COMMUNITY COUNCIL previous to that at which the motion is discussed. The local authority shall have final discretion on any proposed change.

## **8. Committees**

The COMMUNITY COUNCIL may appoint such committees as it may from time to time decide and shall determine their composition, terms of reference, duration, duties and powers.

## **9. Suspension of Standing Orders**

These Standing Orders shall not be suspended except at a meeting at which three-quarters of the total number of COMMUNITY COUNCIL members are present and then only if the mover states the object of his motion and if two-thirds of the COMMUNITY COUNCIL members present consent to such suspension.

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# ITEM 4

## **COMMUNITY COUNCIL GRANTS BRIEFING PAPER**

Community councils can apply to the Council for funding (1) help with their administration costs, and (2) to support specific project costs. Each type of funding has its own application form and process. Community councils are informed of the financial assistance available to them during their initial training and information sessions, and through other communications from the Council throughout their tenure.

### **1. Administration Grants**

A budget of £10,380 is available for community councils' administration costs, covering items such as stationery, room hire, ink cartridges and so on. Community councils can apply annually for the sum allocated to assist with these costs. This sum comprises a core grant of £250 plus a per capita amount based on the population of each Community Council.

To apply for the administration grant, community councils should:

- Complete the brief administration grant application form (attached).  
(Completion of the application form is to allow the Council to meet its obligations under Following The Public Pound regulations)
- Submit a copy of their audited accounts for the previous year (the Council meets the cost of the audit)
- Submit a copy of a recent bank statement to confirm current bank account details

On receipt of these documents, the grant payment will be paid.

This budget is usually underspent. For example, for the years from 2010-2011, the underspend is as follows:

- 2010-2011: £4,599
- 2011-2012: £656
- 2012-2013: £6,169

### **2. Project Funding**

Community councils can apply to the Council's Community Grants Programme for project funding. This can cover a variety of costs, as can be seen in the attached list of awards, including events (Victorian Street Fair in Bo'ness, or the opening of the Dale Bridge in Denny), publishing newsletters, installing public notice boards, or improving areas of orphan land. The maximum award under this programme is £5000 and applications, along with those from charities, voluntary organisations and community groups, will be considered at meetings of the Grants Panel, held every eight weeks or so.

To apply for a community grant, community councils should:

- Complete the Community Grant Application form (attached).
- Submit a copy of their audited accounts for the previous year
- Submit a copy of a recent bank
- Submit any other documentation that may be required, depending on the nature of the application

If a community council's application does not fit with the Community Grants' Criteria, attempts will be made to identify other sources of funding where possible.

## Community Councils: Grants awarded 2010 – 2013

### 2013 – 2014 (to date)

Date	Applicant	Award	Description
April 2013	Bonnybridge Community Council	£500	To assist with the purchase of topsoil, weedkiller, shrubs, bulbs, seeds and other items required to improve an area of orphan land*
June 2013	Bo'ness Community Council	£1074	To help with administration costs
Oct 2013	Larbert Stenhousemuir & Torwood Community Council	£1250	To help with administration costs
Oct 2013	Airth Parish Community Council	£374	To help with administration costs

*\*This project did not proceed because of lack of volunteer support, and the grant was returned to the Council.*

### 2012 - 2013

Date	Applicant	Award	Description
May 2012	Blackness Area Community Council	£343	To help with administration costs
June 2012	Denny & District Community Council	£800	To help with the costs of a community event to celebrate the opening of the new Dale Bridge
June 2012	Bo'ness Community Council	£2000	To help with the costs of the Victorian Street Fair
June 2012	Bo'ness Community Council	£942	To help with administration costs
Oct 2012	Larbert Stenhousemuir & Torwood Community Council	£1060	To help with administration costs
Oct 2012	Banknock Hags & Longcroft Community Council	£416	To help with administration costs
Oct 2012	Avonbridge & Standburn Community	£332	To help with administration costs

	Council		
Jan 2013	Maddiston Community Council	£422	To help with administration costs
Mar 2013	Grangemouth Community Council	£1023	To help with administration costs
Mar 2013	Shieldhill & California Community Council	£690	To help with administration costs

## 2011 - 2012

April 2011	Brightons Community Council	£1000	To assist with costs of producing newsletter
June 2011	Denny Community Council	£1060	To assist with administration costs
August 2011	Blackness Area Community Council	£75	To assist with administration costs
August 2011	Bo'ness Community Council	£942	To assist with administration costs
October 2011	Avonbridge & Standburn Community Council	£332	To assist with administration costs
October 2011	Larbert Stenhousemuir & Torwood Community Council	£1060	To assist with administration costs
October 2011	Bonnybridge Community Council	£655	To assist with administration costs
October 2011	Reddingmuirhead & Wallacestone Community Council	£398	To assist with administration costs
December 2011	Langlees Bainsford & Newcarron Community Council	£1500	To help with the producing its regular newsletters
December 2011	Maddiston Community Council	£422	To assist with administration costs
December 2011	Falkirk South Community Council	£536	To assist with administration costs
January 2012	Airth Parish Community Council	£300	To assist with the cost of a community notice board
January 2012	Grangemouth Community Council	£1023	To assist with administration costs
March 2012	Bonnybridge Community Council	£500	To assist with the purchase of topsoil, shrubs, bulbs and other items required to improve an area of orphan land
March 2012	Airth Parish Community Council	£352	To help with administration costs

March 2012	Langlees Bainsford & Newcarron Community Council	£526	To help with administration costs
March 2012	Shieldhill & California Community Council	£690	To help with administration costs
March 2012	Denny & District Community Council	£1237	To help with administration costs
March 2012	Brightons Community Council	£415	To help with administration costs
March 2012	Grahamston Community Council	£699	To help with administration costs
March 2012	Lower Braes Community Council	£510	To help with administration costs
March 2012	Avonbridge & Standburn Community Council	£800	To assist with the purchase of two public noticeboards

## 2010-2011

June 2010	Bo'ness Community Council	£500	To help with the costs involved in staging the Victorian Street Fair
August 2010	Grahamston Middlefield & Westfield Community Council	£622	To assist with the Community Council's administration costs.
October 2010	Falkirk Central Community Council	£508	To assist with the Community Council's administration costs.
October 2010	Lower Braes Community Council	£515	To assist with the Community Council's administration costs.
October 2010	Avonbridge & Standburn Community Council	£302	To assist with the Community Council's administration costs.
October 2010	Falkirk South Community Council	£554	To assist with the Community Council's administration costs.
December 2010	Airth Parish Community Council	£438	To assist with the Community Council's administration costs, and the cost of a wreath and its annual gardening competition.
December 2010	Bo'ness Community Council	£1178	To assist with the Community Council's administration costs, website costs and refurbishment of trophy awarded annually to outstanding local citizen.
December 2010	Shieldhill & California Community Council	£709	To assist with the Community Council's administration costs and secretarial fee.

February 2011	Langlees Bainsford & Newcarron Community Council	£2200	To help with the cost of the “Keep on Running” event, including mobile stage and marquee hire, organised for the children of local primary schools.
February 2011	Bo’ness Community Council	£2000	To help with the cost of hiring, transporting, erecting and dismantling 40 market stalls, provision of entertainers and publicity for the Victorian Street Fair in Bo’ness
February 2011	Blackness Area Community Council	£275	To assist with the Community Council’s administration costs.
March 2011	Langlees Bainsford & Newcarron Community Council	£575	To assist with the Community Council’s administration costs.
March 2011	Brightons Community Council	£405	To assist with the Community Council’s administration costs.



## Falkirk Council

# COMMUNITY GRANT SCHEME APPLICATION FORM

When you have filled in this application form, please return it to:

**Corporate Policy (Funding)  
Corporate & Neighbourhood Services  
Falkirk Council  
Municipal Buildings  
Falkirk  
FK1 5RS**

If you would like to discuss the application form, please call Falkirk Council's Corporate Policy Unit on 01324 506065 or email [funding@falkirk.gov.uk](mailto:funding@falkirk.gov.uk)

Further information and guidance notes about Falkirk Council Community Grant Scheme are available from the website at [www.falkirk.gov.uk](http://www.falkirk.gov.uk)

We are committed to making sure that our services are available to all sections of the community. Please ask us if you would like the guidance notes relating to this form in other formats.

### FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY			
Date received		Reference No.	



## FALKIRK COUNCIL COMMUNITY GRANT


### APPLICATION FORM

We will use this form to decide whether your organisation will receive funding from the Community Grant Scheme.

You may type or write your answers. If you choose to fill in the form by hand, please make sure that you write your answers clearly. Remember to sign and date the form before returning it to us. Please keep a photocopy of your application form.

#### **Part One – About Your Organisation**

##### **1a) Contact details:**

<b>Title (Mr, Mrs, Miss, Ms):</b>		 This should be someone who knows the project
<b>First name:</b>		
<b>Surname:</b>		
<b>Email</b>		
<b>Phone(s)</b>		
<b>Address:</b>		

<b>Position within organisation:</b>	
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##### **1b) Organisation details:**

<b>Name of organisation:</b>			
<b>Address:</b>			
<b>Postcode:</b>		<b>Telephone no. (daytime)</b>	
<b>Email address:</b>			
<b>Website:</b>			

<b>When did your organisation start?</b>	<b>Month:</b>	<b>Year:</b>	👉 When did it first start meeting or running activities?
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<b>If your organisation/group is a Charity, please specify your Charity number</b>		👉 By registered charity we mean registered with the Office of the Scottish Charity Regulator (OSCR)
<b>If your organisation/group is a registered Company, please specify your Company number</b>		

<b>How many Committee Members are involved in running your group?</b>		👉 You must have at least 3 people on your group's Management Committee
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<b>Have all staff/volunteers in your group been checked (if required) through the Protection of Vulnerable Groups Scheme (PVG)?</b>	Yes / No	👉 Please refer to the Guidance Notes for further information about PVG
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<b>Are there any restrictions on who can join your organisation?</b>	Yes / No	👉 If your organisation has a membership we would expect this to be open to all and that anyone can join, unless you can provide a good reason why not
<b>If yes, what are they and why do you have them? (maximum 50 words):</b>		


**1c) Organisation's bank details:**

<b>Account name:</b>		📌 Your account must be in the name of the organisation that is applying for a grant and will carry out work
<b>Bank name and address:</b>		

<b>Bank sort code:</b>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>							📌 You must send a copy of your latest bank statement with this application. If you have a passbook account, you can send a copy of the pages of your book. The checklist at the end of the application form will tell you exactly what you need	
<b>Account number:</b>	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>								
<b>Building Society Roll number:</b>									

<b>Please list everyone who can authorise transactions from your bank accounts:</b>	<b>Name:</b>	<b>Position in organisation:</b>	📌 Please note bank signatories should not live at the same address as another signatory or be related in anyway

<b>Is your organisation registered for VAT?</b>	Yes / No	📌 If you are registered for VAT you can only apply for the cost of non-recoverable VAT only
<b>If yes, what is your VAT number?</b>		


<b>What are your group's main activities?</b> <b>(maximum 300 words)</b>		 Tell us briefly what your group does
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## **Part Two – About Your Grant**

### **2a) Objectives of Falkirk Council Community Grant Scheme:**

To make sure you are eligible to apply for a Falkirk Council Community Grant, you must show that the project contributes to one (or more) of the following objectives:

**Please tick as appropriate:**


Further developing a thriving, sustainable and vibrant economy		 A further explanation of these objectives is provided in the Guidance. If you are unclear whether your proposed project / activity fits within these headings, please contact the External Funding Unit for a further discussion
Continuing to improve health, safety and well being of our citizens and communities		
Increasing our efforts to tackle disadvantage and discrimination		
Enhancing and sustaining an environment in which people want to live, work and visit		

Applications will be assessed on the following areas:

- The need for your project
- Meeting one or more of the Council's priorities
- What difference your project will make and who will benefit
- Grant/s already received
- Your organisation's overall financial situation
- Total cost of your project
- Value for money

<p><b>Please describe how the project that you are applying for will contribute to the objective/s you have ticked in (2a) above:</b></p>	
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**2b) What the money is for:**

<p><b>What project or activities do you want us to fund? (maximum 500 words)</b></p>		<p> Please describe your project. By 'project' we mean the event or activities that you plan to carry out using the grant award. Be specific about <b>what you will do, how you will do it and what you will spend the grant on.</b> Remember to highlight how you know there is a need / demand for your project</p>
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