

MINUTE of MEETING of the WEST LOTHIAN COUNCIL held within Council Chambers, Civic Centre, Livingston, on 24 February 2015.

Present – Provost Tom Kerr (Chair), Deputy Provost Dave King, Council Leader John McGinty, Councillors Stuart Borrowman, Tony Boyle, William Boyle, Harry Cartmill, Alexander Davidson, Martyn Day, Mary Dickson, Jim Dixon, David Dodds, Lawrence Fitzpatrick, Carl John, Danny Logue, Greg McCarra, Anne McMillan, Andrew Miller, Angela Moohan, John Muir, George Paul, Frank Toner, Jim Walker

Apologies – Councillors Frank Anderson, Peter Johnston, Cathy Muldoon

Absent – Councillors Diane Calder, Janet Campbell, Tom Conn, Robert De Bold, Jim Dickson, Barry Robertson

1. ADOPTION OF AN AMENDED SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS IN WEST LOTHIAN

The Council considered a report (copies of which had been circulated) by the Head of Corporate Services enclosing a new Scheme for Establishment of Community Councils in West Lothian and supporting documents. The Council was invited to adopt the new scheme and to note that legislation required approval at a special meeting of the council and by a two-thirds majority vote.

The report recalled that, at a meeting of the Partnership and Resources PDSP held on 14 March 2014, the Panel was informed of the intention to revoke the existing Scheme for Establishment of Community Councils and to produce a new one in its place.

The Head of Corporate Services advised that the review had been prompted by a request to separate the existing Whitburn and Greenrigg Community Council to form two separate community councils for the areas of Whitburn and Greenrigg. The periodic review had also been postponed pending progress on the Scottish Government's community empowerment legislation.

In accordance with the relevant legislation, three separate rounds of public consultation had taken place and the comments received during each round of consultation had been considered by a short life working group which had been set up to review the scheme. Where it had been considered appropriate, the suggestion made during each round of the consultation had been incorporated in the Final Scheme for Establishment of Community Councils in West Lothian, the Constitution and Standing Orders, the Code of Conduct for Community Councillors and List of Names and Sizes.

The report provided the following appendices:-

Appendix 1 – Scheme for Establishment of Community Councils
Appendix 2 – Constitution and Standing Orders

Appendix 3 – Code of Conduct for Community Councillors
Appendix 4 – Community Council Names and Sizes
Appendix 5 – Community Council Guidance Notes

It was noted that one issue which had attracted considerable comment and a divergence of view had been the initial suggestion that membership could include business members with full voting rights. As a result of consideration and debate during the consultation process, that proposal had not been included in the final draft Scheme. Individuals with a business connection rather than a place of residence could be brought on to a community council but would not have voting rights.

Finally, the Head of Corporate Services advised that, at its recent AGM in November 2014 and reconvened AGM in January 2015, the West Lothian Association of Community Councils had been unable to appoint a Chair. As a result, the Association could not continue to operate. Officers considered that liaison and consultation with an umbrella or representative body of some sort was a sensible and practical measure, and so the potential role for such a body was retained in the final draft Scheme. Options would be considered as to how best to ensure that community councils could continue to be represented on PDSPs and in the Community Planning Partnership structure.

It was recommended that the Council:-

1. approve the finalised West Lothian Scheme for Establishment of Community Councils, Model Constitution, Model Standing Orders, Model Code of Conduct and community council names/boundaries.
2. note the Community Council Guidance Notes which will support the Scheme when approved.
3. note the election arrangements to be made to set up new community councils in Greenrigg and Whitburn

Decision

To approve the terms of the report.