



COUNCIL EXECUTIVE

AMENDMENT TO THE SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS IN WEST LOTHIAN – LINLITHGOW AND LINLITHGOW BRIDGE COMMUNITY COUNCILS

REPORT BY CHIEF SOLICITOR

A. PURPOSE OF REPORT

To invite the Council Executive to agree to the amalgamation of the two existing areas of Linlithgow and Linlithgow Bridge Community Councils and the formation of one new community council for the area to be known as Linlithgow and Linlithgow Bridge Community Council.

B. RECOMMENDATION

1. To agree to amend the Scheme for Establishment of Community Councils in West Lothian by approving the amalgamation of Linlithgow and Linlithgow Bridge Community Councils into Linlithgow and Linlithgow Bridge Community Council.
2. To set the prescribed number of members on Linlithgow and Linlithgow Bridge Community Council at 12.
3. To note that the two existing community councils will be invited to hold dissolution meetings to agree, amongst other things, the use of funds retained at the dates of their dissolution before the inaugural meeting of the new community council.
4. That officers make arrangements for the election of members to serve on the new Community Council for the period from the dissolution of the two existing community councils to September/October 2013.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focussing on our customers' needs; Providing equality of opportunity; Making best use of our resources; and Working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Sections 51-55 of the Local Government (Scotland) Act 1973 and Section 22, Part 1 of the Local Government (Scotland) Act 1994.
III Resources - (Financial, Staffing and Property)	The costs of advertising can be met from existing budgets.
IV Consultations	Council ward members and members of the public via notices in the Linlithgow Journal and Gazette.

D. TERMS OF REPORT

At its meeting held on 31st August 2010, the Council Executive noted a request from Linlithgow and Linlithgow Bridge Community Councils that the two community councils be amalgamated due to falling membership numbers. The Council Executive agreed to undertake public consultation prior to making a decision about altering the existing boundaries for Linlithgow and Linlithgow Bridge in the current Scheme for Establishment of Community Councils in West Lothian.

In line with the legislative requirements when conducting a full review of the Scheme, three separate rounds of public consultation took place on the proposed amalgamation of the two community councils. However, given the limited nature of the proposed amendment, the lengthy timescales involved in a comprehensive scheme review were reduced to ensure that any change could be implemented as soon as possible to ensure the areas continued to have community council representation.

The three stages of consultation were as follows:-

- Stage 1 – An advert was placed in the Linlithgow Gazette on 3rd September 2010. Two weeks were allowed for comments. No comments or objections were received.
- Stage 2 – An advert was placed in the Linlithgow Gazette on 1st October 2010. Two weeks were allowed for comments. No comments or objections were received.
- Stage 3 – An advert was placed in the Linlithgow Gazette on 29th October 2010. Two weeks were allowed for comments. No comments or objections were received.

If the Council Executive approves the boundary changes and the creation of a new community council for Linlithgow and Linlithgow Bridge, the next steps to creating the new community council will be as follows:-

- The two existing community councils will be asked to hold dissolution meetings, in terms of their constitutions, to bring their existence to an end and to approve the transfer of any funds held across to the new community council.
- An advert will be placed in the Linlithgow Gazette inviting nominations to the 12 places on the community council. Posters and nomination forms will also be made available in council facilities in both areas.
- If at least 6 nominations but no more than 12 nominations are received by the closing date for receipt of nominations, candidates will be elected on to the new community council unopposed and will serve until the date of the next ordinary four yearly community council elections in September/October 2013.
- If more than 12 nominations are received, a period of 1 week will be allowed for anyone who may wish to withdraw their nomination. At the end of the withdrawal period, if more than 12 nominations remain, an election will be organised to decide the members.

Ward members will be kept fully informed of progress at each stage of the election process.

E. CONCLUSION

The amalgamation of Linlithgow and Linlithgow Bridge Community Councils to create one community council will ensure that there continues to be an active and effective community council operating to represent the interests of the areas of Linlithgow and Linlithgow Bridge.

F. BACKGROUND REFERENCES

- (a) Scheme for Establishment of Community Councils in West Lothian.
- (b) Correspondence held in Committee Services central files.
- (c) Council Executive, 31 August 2010

Appendices/Attachments: Map

Contact Person: Lorraine McGroarty (01506 281609)

Julie Whitelaw, Chief Solicitor

Date: 21st December 2010