

DATA LABEL: PUBLIC



## **COUNCIL EXECUTIVE**

### **REQUEST FOR AMENDMENT TO SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS IN WEST LOTHIAN**

### **REQUEST FOR THE FORMATION OF A SEPARATE CARMONDEAN COMMUNITY COUNCIL**

## **REPORT BY INTERIM HEAD OF CORPORATE SERVICES**

### **A. PURPOSE OF REPORT**

To advise the Council Executive that representations have been received from registered electors in the Carmondean area requesting that a separate Carmondean Community Council be re-established in its own right.

### **B. RECOMMENDATION**

To agree to undertake a public consultation exercise in response to the representations to form a separate community council for Carmondean prior to making any decision to alter the boundaries as defined in the current Scheme for Establishment of Community Councils in West Lothian.

### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; Being honest, open and accountable; Providing equality of opportunities; Making best use of our resources and Working in partnership
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	Section 53 of the Local Government (Scotland) Act 1973.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None.
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	We live in resilient, cohesive and safe communities
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	The costs of statutory notices will be met from the community council budget.

**VII Consideration at PDSP** Previous Scheme Reviews have been considered at meetings of the Partnership & Resources Policy Development and Scrutiny Panel and special meetings of West Lothian Council.

**VIII Other consultations** Ward Members were invited to submit comments on the petition request.

The views of those Members who wished to make comment at this stage are noted within the body of this report.

#### **D. TERMS OF REPORT**

A new Scheme for Establishment of Community Councils in West Lothian was adopted at a special meeting of West Lothian Council on 31<sup>st</sup> August 2021 following 3 rounds of extensive public consultation that began in February 2020 and concluded in June 2021.

During the Scheme consultation, in conjunction with the Joint Forum of Community Councils, it was proposed that all community councils not in operation at that stage should be amalgamated with neighbouring areas to ensure every community in West Lothian was represented by a community council. One of those areas was Deans Community Council which very briefly had a community council operating for around 6 months in over 20 years.

The proposal to merge Deans with Carmondean was supported by Carmondean Community Council and consequently, a new combined boundary for Carmondean & Deans Community Council was adopted within the Scheme. The new Carmondean and Deans Community Council was established in October 2021 following the 4-yearly community council elections. Nine members were elected to it.

The council has received a request from registered electors from the former Carmondean Community Council that the council re-establish a separate community council for Carmondean in its own right. The reasons stated on the petition include that the combined community council has led to Carmondean having no representation and that Carmondean has its own distinct heritage, community and needs, and that it should be represented by people from within its community. Ward Members have been consulted upon the request. Of those wishing to comment upon the terms of the proposal for the purposes of this report, Councillor Adamson's commented:-

*I have enormous sympathy for the Carmondean area community members who wish to revert back to a community council in their own right.*

*The reason for amalgamation of Deans and Carmondean was down to Deans having no community council for many years. Carmondean was established first and was successfully following local projects and concerns which are different from some of the projects and concerns in the Deans area. This became apparent when funding opportunities were being considered in each of the areas. Since Deans now finally has an active community council and is also the larger of the two areas represented by a community council, the reason for merging is no longer valid.*

*It is wonderful that so many volunteers wish to represent their communities and I think we need to encourage involvement in any way we can.*

*A petition from Carmondean makes me believe the time has come to let Carmondean revert back to being an individual community council area*

*The existing community council, members of the public and ward members will be fully consulted on the current and requested boundaries if Council Executive agrees to undertake a review. Comments will be invited through the council's website, social media and press notices.*

In terms of Section 53 of the Local Government (Scotland) Act 1973, a new community council boundary cannot be adopted until (a) elected members agree to review that element of the Scheme and (b) full consultation has taken place with the community council it would affect and members of the public.

Council Executive will note that given the limited nature of the requested amendment, there is no requirement to comply with the lengthy statutory timescales which must be adhered to when adopting a comprehensive new Scheme. The timescales for this review have therefore been kept to a minimum to ensure that if elected members, the community council and the public are supportive of the review request, any change can be implemented as swiftly as possible. No other aspect of the scheme or any other boundary alterations will be considered during the consultation.

If Council Executive is agreeable to a review of the boundaries of Carmondean and Deans Community Councils being conducted, it is anticipated that a final report on the request will be reported to members for consideration at a special meeting of West Lothian Council in January 2023 at the earliest following conclusion of the undernoted consultation exercise:

- Stage 1 – Advert in the West Lothian Courier - 13<sup>th</sup> October – 2 weeks for comments – closing date 27<sup>th</sup> October 2022.
- Stage 2 – Advert in the West Lothian Courier – 10<sup>th</sup> November – 2 weeks for comments – closing date 24<sup>th</sup> November 2022.
- Stage 3 – Advert in the West Lothian Courier – 15<sup>th</sup> December – 2 weeks for comments – closing date 29<sup>th</sup> December 2022.

A report will be presented to a special meeting of the Council on 24th January 2023. If Council then agrees to separate and create two distinct community councils for the areas of Carmondean and Deans, there will then follow a public call for nominations to both community councils. In order to form community councils in both areas, a minimum of 4 valid nominations must be received for each area to ensure the community councils can both be established. Members should note that this is the minimum number of members allowed on any community council in West Lothian.

If the proposal is approved the existing Carmondean and Deans Community Council will be asked to hold a dissolution meeting, in terms of their constitution, to bring their existence to an end. Any funds specific to each distinct community council area should be passed on to the relevant new community council. All other funds, such as balances accumulated through annual grant funding shall be split equally between the two community councils.

**E. CONCLUSION**

There is a requirement to carry out full consultation with the existing community council, ward members and members of the public in response to the representations seeking a separate community council be formed in Carmondean. This will ensure that the council has a full understanding of wishes of local people before it is invited to consider altering the boundaries set out within the August 2021 Scheme for Establishment of Community Councils.

**F. BACKGROUND REFERENCES**

Scheme for Establishment of Community Councils in West Lothian 31<sup>st</sup> August 2021.

Appendices/Attachments:

- (a) Current Carmondean & Deans Community Council Boundary Map
- (b) Boundary Maps for the former Carmondean and Deans Community Council Areas

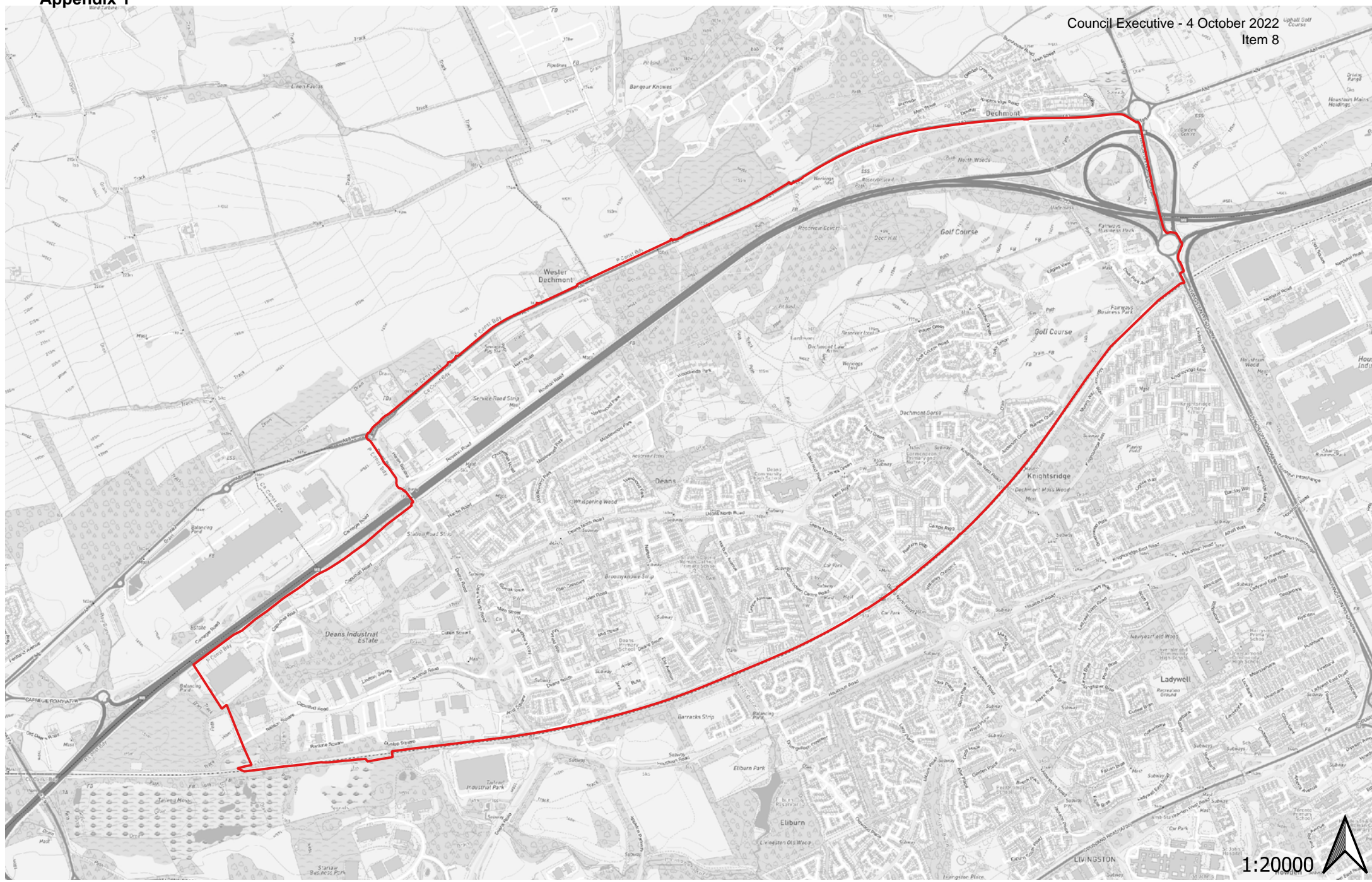
Contact Person: Lorraine McGrorty, Committee Officer, 01506 281609

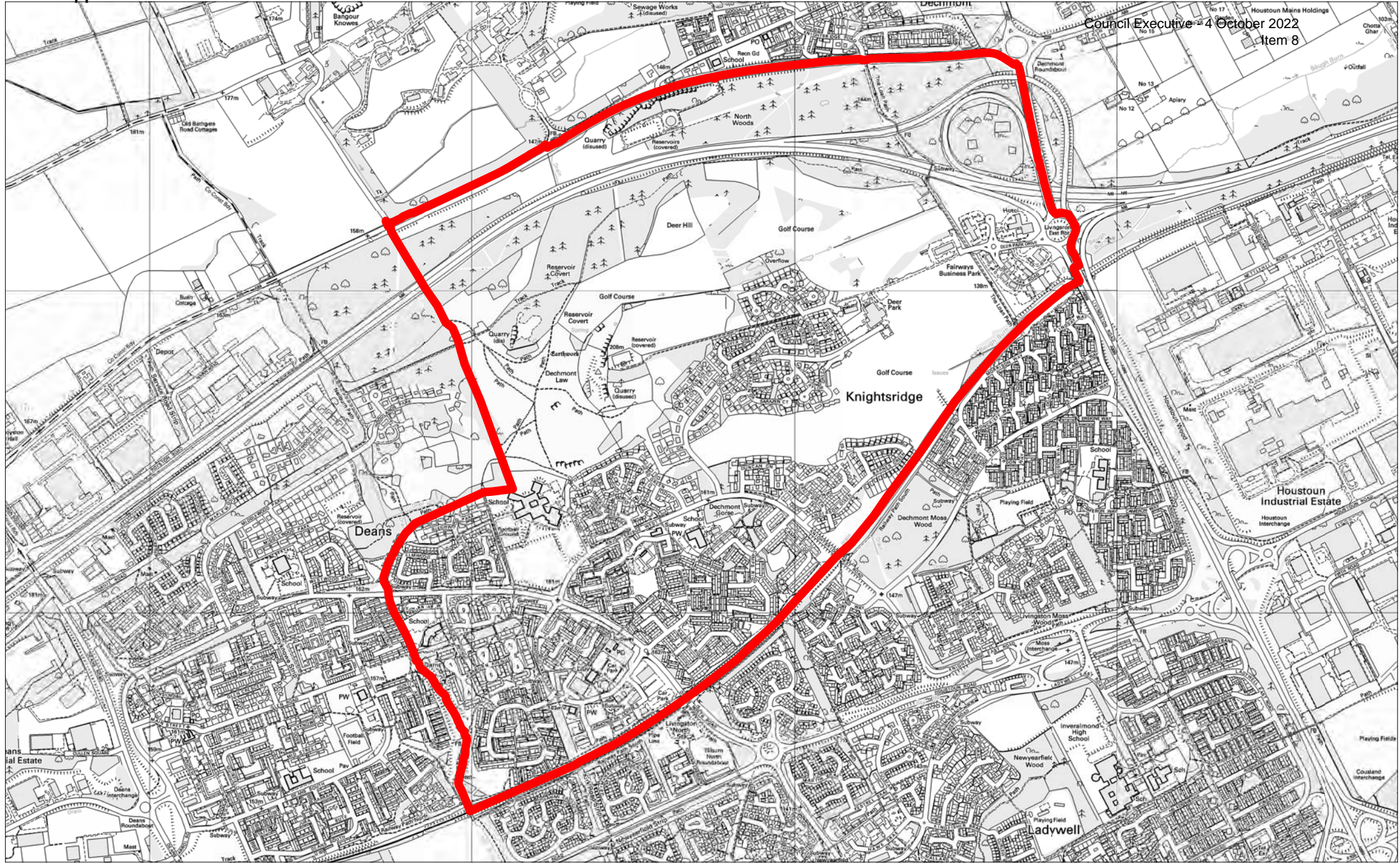
[lorraine.mcgrorty@westlothian.gov.uk](mailto:lorraine.mcgrorty@westlothian.gov.uk)

**Lesley Henderson**

**Interim Head of Corporate Services**

Date of meeting: 4 October 2022





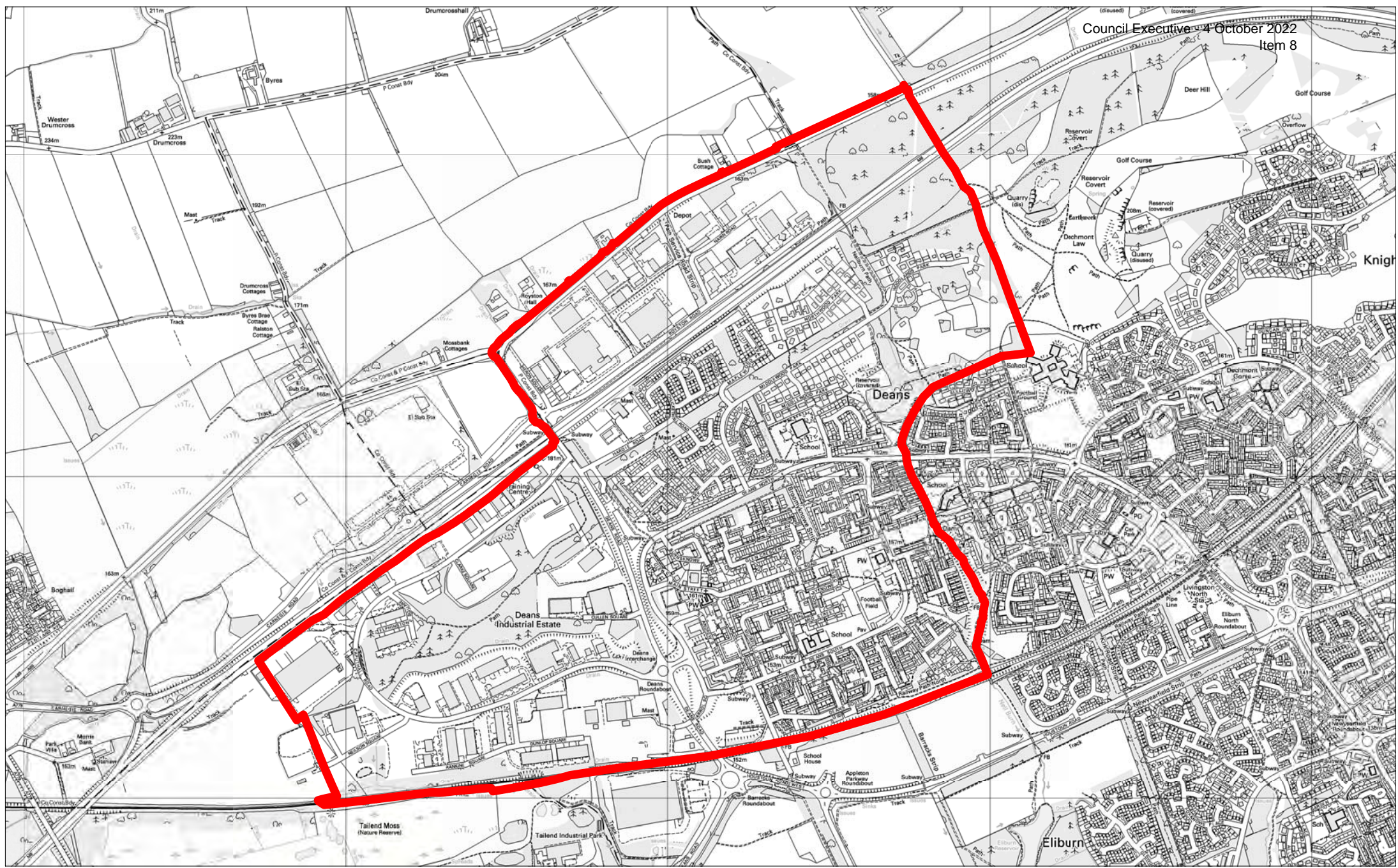
**Carmondean Community Council**



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2009.  
All rights reserved. Ordnance Survey Licence number 100037194.



1:15000



### Deans Community Council



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2009.  
All rights reserved. Ordnance Survey Licence number 100037194.



1:15000