

	<b>Proposed Amendment</b>	<b>Recommendation</b>
1	To alter boundaries of Oban, Kilmore, Connel and Dunbeg Community Council	That the Council agree to retain the status quo in respect of community council boundaries for the reason outlined in Appendix 1.
2	To Remove the power to dissolve a community council	To agree to retain the powers of dissolution, noting that this provision is consistent with the National Model Scheme.
3	That clause 11.5 of the Scheme be amended to “To support causes or groups that the Community Council considers being for the good of the local community” AND/OR to add a further cost topic “General Expenses in support of community projects”	To refuse the request to amend clause 11.5 of the draft amended Scheme, noting that community councils may raise their own funds to support local groups and that there is provision for surplus funds to be distributed, as outlined in Appendix 1.
4	To retain the upper age of 18 for community councils	To refuse the request to retain the upper age of 18 in order to be consistent with Local Government Election Rules.
5	Add website costs to the approved list of administration grant expenditure.	To agree to include website costs in the list of authorised administrative expenditure.
6	To replace the removed wording regarding youth engagement with the wording “Community Councils should aim to encourage younger people in the community to engage with community council decisions to establish more interaction between community councils, schools and youth groups”	To decline to amend on the basis that the lower age for candidates facilitates active engagement.
7	To amalgamate and shorten sections of 13 as outlined in Appendix 1.	To decline the suggestion to amalgamate and shorten sections of 13 based on the feedback contained at Appendix 1.
8	To amend the name of Kilmore Community Council to “Kilmore and Kilbride Community Council”.	To agree to amend the name of Kilmore Community Council to “Kilmore and Kilbride Community Council”.

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9	To add Area Committee to the list of agencies with which community councils should liaise with.	To decline this suggestion on the basis that the wording may infer that liaison be restricted to only the Area Committees of the Council which would contradict the provisions within the Council's Standing Orders for, for instance, deputations.
10	Add (within Paragraph 11 of the constitution) "The Community Council will adopt a constitution at the inaugural meeting following an election"	To decline this suggestion as it is already appropriately provided for in Paragraphs 3.6 and 9.1 of the Scheme.
11	Consider incorporating a requirement and process for responding to simplistic responses for documentation in terms of Freedom of Information.	To decline the suggestion on the basis that Freedom of Information legislation does not apply to community councils.
12	To amend the requirement to "more generally" provide minutes etc to "more specifically" (within paragraph 3.7b of the Scheme)	To agree to amend paragraph 3.7(b) of the Scheme to read "... and more specifically provide minutes to the CLO within 14 days from the date of the meeting"
13	Amend Section 5.1 of the Scheme to include a 4 <sup>th</sup> bullet point "is not the subject of sanctions"	To decline the request for the reasons outlined in Appendix 1.
14	Amend the fourth bullet point in paragraph 6.8(b) of the Scheme to be at the date of co-option, for consistency with bullet point one.	To agree to amend the 4 <sup>th</sup> bullet point of paragraph 6.8(b) of the Scheme to read "is not the subject of sanctions contained at clauses 13.5.3 or 13.12.3 to 13.12.5 on the date of co-option"
15	To amend paragraph 6.8(e) of the Scheme and paragraph 7 of the Model Constitution to read "Co-opted members may serve for a maximum of 2 years or until the interim by-elections, whichever is the sooner"	To decline the suggestion to amend paragraph 6.8(e) on the basis that this could result in co-opted members not being able to serve up until the next by-election, potentially leaving community councils inquorate

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16	To add provision for the names of persons proposed for co-option to be named on the agenda for the meeting where the matter will be decided.	To agree to amend paragraph 6.8(g) of the Scheme to read "Notice of persons proposed for co-option 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 and in terms of keeping the community informed, the names of the persons proposed will be listed on the agenda for the meeting where the matter will be decided"
17	To suggest that the Returning Officer may only alter the community council term with agreement of elected members.	To decline the suggestion on the basis that it would conflict with the Council's constitution which delegates control of electoral matters to the Returning Officer.
18	Paragraph 10.4 of the Scheme, Paragraph 11(e) of the Model Constitution and Paragraph 2 of the Model Standing Orders should be amended to be specific about publishing approved minutes and a requirement to accompany this with a list of changes since the draft minute was circulated.	To decline the suggestion for the reasons stated in Appendix 1.
19	Suggest altering paragraph 13 of the Scheme to include provision to notify the subject of the complaint of progress. 13.4 and 13.5 should outline the process for handling complaints.	To decline this suggestion on the basis that it is a matter for community councils to determine their own procedure for complaints.
20	Amend paragraph 13.2.2 of the Scheme to read "three or more complaints have previously been received about a particular community council member, or from a particular individual, during the previous 4 years"	To decline the suggestion for the reason outlined in Appendix 1.
21	Suggest amending paragraph 13.2.3 to include a lack of response as being a reason to complain.	To decline this suggestion for the reasons outlined in Appendix 1.
22	Amend paragraph 13.8 to include the process for the panel to follow in terms of agendas and formal recording of the meeting, outlined in Appendix 1.	To decline this suggestion on the basis that the panel will comply with the Council's standing orders.

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23	Amend paragraph 13.10 to include provision for a community council to be notified.	To agree to amend section 13.10 to read "A Panel shall meet to decide a complaint within 12 weeks of the complaint being referred to it. In the event it cannot be decided within 12 weeks, all relevant parties will be notified of the revised timescales"
24	Amend paragraph 13.11 to seek agreement of all parties to the complaint.	To agree to amend section 13.11 to read "A Panel may, with the agreement of all relevant parties, refer a complaint for consideration by an independent person or body, which person or body shall have the same obligations and powers in respect of the complaint as the Panel"
25	Amend paragraph 13.12.5 to allow for a four year suspension to be applied.	To decline this change and retain a maximum period of suspension of 2 years.
26	Suggest that the Council should maintain a list of those disqualified under clause 13.12.5.	To agree to insert a new paragraph at 13.15 "Argyll and Bute Council will maintain a list of all individuals disqualified under clause 13.12.5, the start and end of the period of disqualification and the reason (from the Panel). This list will be available on request"
27	Section 5 of the Model Constitution – Amend to include cover for officer-bearers who do not seek re-election at an AGM and cover circumstances where there is no appointment made.	Agree to amend Section 5 of the Model Constitution to read "In event of the non-election, retiral or resignation of the Secretary and/or Treasurer, all documentation, financial records etc held on behalf of the community council shall be passed to the nominated person appointed by the community council, or designated by the Convener, within 7 days of the effective date of non-election, retiral or resignation"

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28	Section 7 of the Model Constitution – confirm whether maxima or minima	To agree to amend Section 7 of the model constitution to read “Where a vacancy arises which does not result in the number of community councillors falling below 50% of the membership figures specified in Appendix 3 of the Scheme, the community council may agree to fill the vacancy through co-option with full voting rights to a maximum of one third of the total membership of the community council (as specified in Appendix 3 of the Scheme).”
29	Sections 9(b) & 9(c) of the Model Constitution – Amend to stipulate that approval will be withheld if records are not up-to-date.	To decline to amend sections 9(b) and 9 (c) of the Model Constitution and to instead amend clause 12 of the finance and resources section of the best practice guidance to read “Argyll and Bute Council will continue to provide funding for the administration of community councils through the payment of an annual grant. This will be paid following submission of community council’s audited accounts (following approval at the AGM) together with a request for the administration grant and minutes of the AGM. Where community council records are not up to date, the CCLO will make a request that missing documentation from the previous 12 month period be brought up to date prior to the grant payment being released”

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30	Paragraph 14(c) of the Model Constitution - Clarify the number of authorised signatories.	To agree to amend Section 14(c) of the Model Constitution to read "Any two authorised signatories, who will normally be Office-bearers of the community council, may sign cheques on behalf of the community council. Authorised signatories may not be co-habitees"
31	Paragraph 4(i) of the Model Standing Orders – Suggest adding 'Complaints' as a standing agenda item.	To decline the suggestion to add a standing complaints item on agendas on the basis this would be a matter for individual community councils to determine.
32	Paragraph 4(ii) of the Model Standing Orders – Suggest adding 'Public Questions' to the agenda after consideration of the annual programme of meetings	To decline the suggestion to add a standing item on public questions on the basis that there is already provision for public questions as set out in Paragraph 4(ii) (d), (e) and (f)
33	Section CC12 of the Best Practice Agreement (BPA) – Propose a change to this to reflect the Model Constitution by amending final sentence to "... public questions"	To agree to amend Section CC12 of the BPA to read "Community councils should ensure that all meetings and activities are publicised in accordance with the detail set out in the Model Constitution 7 days prior to the meeting, and that there is an opportunity for members of the public and special interest groups to participate in discussion on the basis of information provided by the community council. Public discussion and open debate should be encouraged through the use of regular agenda items such as "Public Questions".
34	Section CC13 of the BPA – Retain the requirement to display minutes publically and insert a presumption in favour of website use.	To agree to re-insert the need to display minutes publicly but to decline the suggestion that use of a website be mandatory.

	<b>Proposed Amendment</b>	<b>Recommendation</b>
35	Communications with the Council, Paragraph 2.2 of the BPA – replace chair with Convener	To agree to amend Paragraph 2.2 of the Section on Communications with the Council (BPA) to replace “Chair” for “Convener”
36	Communications with the Council, Paragraph 3.1 of the BPA – amend to read “Written enquiries will be given a written response in every case. Where a routine enquiry cannot be responded to within 5 working days, the Service shall advise giving a projected time”	To agree to amend Paragraph 3.1 of the Section on Communications with the Council (BPA) to read “Routine/simple enquiries will be responded to within 5 working days. Services should advise, within 5 working days, where a routine enquiry cannot be responded to.” This will ensure consistency with the approved Customer Charter.
37	Communications with the Council, Paragraph 4.2 of the BPA – Clarify what is meant by “whitemail”	To agree to amend Paragraph 4.2 of the Section on Communications with the Council (BPA) to read “Email and other such simple enquiries will be responded to within 5 working dates of the date of receipt of your enquiry”
38	Suggestion to incorporate responsibility on the community council and obligations on the Secretary and Treasurer regarding record keeping.	To agree with the suggestion at Appendix 1 to progress inclusion on records management within the community council handbook.