

**EXTENSION OF CERTAIN TEMPORARY DEPARTURES FROM THE SCHEME  
FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS IN ARGYLL AND BUTE**

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**1.0 EXECUTIVE SUMMARY**

In light of the ongoing government guidance and restrictions associated with the Covid 19 pandemic this report anticipates the possibility that public meetings may not be able to resume in time for community councils to hold their Annual General Meetings (AGMs) in accordance with the Scheme for the Establishment of Community Councils. It therefore recommends a further temporary departure from the Scheme to the effect that AGMs can take place on a remote basis by the end of June 2021, where possible, or by 31<sup>st</sup> December 2021 in anticipation that face to face meetings may resume later in 2021.

The report also updates on the need to extend other temporary departures previously put in place by the Business Continuity Committee on 14 May 2020 and that in light of Community Council by-elections being held in November 2020, recommends that the rules regarding maximum numbers of co-opted members revert back to the provisions within the Scheme.

In summary Council is therefore invited to approve the following temporary departures:

- that where possible the 2021 AGMs take place on a remote basis or are otherwise held by 31<sup>st</sup> December 2021 with automatic approval for office bearers to retain positions held for 8 years or more without seeking approval from the Executive Director;
- that the minimum number of meetings per annum continue to be set aside for 2021, on the understanding that regular patterns of meetings will recommence when current government restrictions on public gatherings are lifted;
- that community councils able to meet remotely may continue to do so with the expectation that they have put in place consultative measures

to engage with their communities and that where unable to meet remotely, they continue to be in a position to reach consensus views by email until such time as the restrictions on public health are lifted. This is on the basis that such decisions or actions detail where community views cannot be obtained and that this is reflected in any responses submitted and that the Community Council Liaison Officer (CCLO) must be informed of any decisions made on this basis;

Council is further invited to agree that the maximum membership of co-optees revert back with immediate effect to the level of 1/3, as set out within the Scheme, in view of the by-elections having taken place in November 2020;

The Council is also invited to note that the National Scheme for the Establishment of Community Councils is currently being reviewed to include provision for all community council meetings to take place remotely and any subsequent review of our Scheme will take account of any recommendations in this regard.

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**2.0 INTRODUCTION**

2.1 In response to the Covid 19 pandemic the Business Continuity Committee previously considered and approved a number of temporary departures from the Scheme for the Establishment of Community Councils in light of the current Covid-19 pandemic to facilitate Community Council's in continuing to fulfil the important role of representing and supporting local communities at this time. In light of the ongoing situation. This report updates on the temporary departures and proposes a further extension. It also seeks approval of a further temporary departure with regards to the timescales and arrangements for AGMs.

**3.0 RECOMMENDATIONS**

3.1 The Council is invited to approve the following temporary departures from the Scheme for the Establishment of Community Councils:

a) that where possible the 2021 AGMs take place on a remote basis or are otherwise held by 31<sup>st</sup> December 2021 with automatic approval for office bearers to retain positions held for 8 years or more without seeking approval from the Executive Director;

b) that the minimum number of meetings per annum continue to be set aside for 2021, on the understanding that regular patterns of meetings will recommence when current government restrictions on public gatherings are lifted;

c) that community councils able to meet remotely continue to do so with the expectation that they have put in place consultative measures to engage with their communities and that where unable to meet remotely, they continue to be in a position to reach consensus views by email until such time as the restrictions on public health are lifted. This is on the basis that such decisions or actions detail where community views cannot be

obtained and that this is reflected in any responses submitted and that the Community Council Liaison Officer (CCLO) must be informed of any decisions made on this basis.

- 3.2 The Council is invited to agree that that the maximum membership of co-optees revert back with immediate effect to the level of 1/3, as set out within the Scheme, in view of the by-elections having taken place in November 2020; and
- 3.3 The Council is invited to note that the National Scheme for the Establishment of Community Councils is currently being reviewed to include provision for all community council meetings to take place remotely and any subsequent review of our Scheme will take account of any recommendations in this regard.

#### **4.0 DETAIL**

- 4.1 The Business Continuity Committee agreed on 14 May 2020 temporary departures to the Argyll and Bute Scheme for the Establishment of Community Councils to enable community councils to conduct business during the Covid-19 pandemic. Some of these measures require to be further extended in anticipation of continued public health guidance being in place limiting public gatherings.
- 4.2 It is recommended that where possible the 2021 AGMs take place on a remote basis or are otherwise held by 31<sup>st</sup> December 2021 with automatic approval for office bearers to retain positions held for 8 years or more without seeking approval from the Executive Director;
- 4.3 Given this situation it is also recommended that the minimum number of meetings per annum continue to be set aside for 2021, on the understanding that regular patterns of meetings will recommence when current government restrictions on public gatherings are lifted.
- 4.4 It is recommended that community councils able to meet remotely continue to do so with the expectation that they have put in place consultative measures to engage with their communities and that where unable to meet remotely, they continue to be in a position to reach consensus views by email until such time as the restrictions on public health are lifted. This is on the basis that such decisions or actions detail where community views cannot be obtained and that this is reflected in any responses submitted and that the Community Council Liaison Officer (CCLO) must be informed of any decisions made on this basis.
- 4.5 Given the success of the by-elections which took place in November 2020 it is recommended that Council agree that that the maximum membership of co-optees revert back with immediate effect to the level of 1/3, as set out within the Scheme.
- 4.6 It is not possible to make permanent changes to the Scheme without having full public consultation and officers are aware that a new National Scheme for the Establishment of Community Councils is currently being looked at by the Improvement Service and the Scottish Executive. This Scheme is likely to include

provision for remote meetings and it would therefore be beneficial to approve this further period of departures whilst awaiting the outcome of the review of the National Model Scheme as this may supersede any local amendments made to the existing Scheme.

- 4.7 The recommendations proposed are considered to be sufficient to enable community councils to conduct business while taking account of the fact that not all community councils have the expertise to be in a position to move to virtual meetings although the council, via the Community Development team, recently ran a training session on hosting remote meetings which was promoted to all 56 community councils.

## **5.0 CONCLUSION**

- 5.1 In taking account of the development of a new National Model Scheme and the ongoing public health restrictions which continue to affect the holding of face to face public meetings, the council is encouraged to approve the recommendations contained with the report to enable community councils in the area to continue to fulfil their statutory role.

## **6.0 IMPLICATIONS**

- 6.1 Policy - This is in keeping with the Council's commitment to manage its response to the Covid-19 pandemic in supporting the people and communities of Argyll and Bute and in adhering to national guidance.
- 6.2 Financial - None
- 6.3 Legal – It is not possible to amend the current Scheme on a permanent basis without undertaking full public consultation and therefore temporary relaxations are recommended to ensure community councils can continue to fulfil their statutory role.
- 6.4 HR - None
- 6.5 Fairer Scotland Duty:
- 6.5.1 Equalities - protected characteristics - None
- 6.5.2 Socio-economic Duty - None
- 6.5.3 Islands - None
- 6.6 Risk - None
- 6.7 Customer Service - None

**Douglas Hendry**  
**Executive Director with responsibility for Legal and Regulatory Support Services**

15 January 2021

**Policy Lead:** Councillor Mary-Jean Devon

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