



# **Mayfield and Easthouses Community Council**

## **What is involved?**

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## **SECTION 1: WHAT IS A COMMUNITY COUNCIL?**

A Community Council is a voluntary organisation set up by statute by the Local Authority and run by local residents to act on behalf of its area. As the most local tier of elected representation, Community Councils play an important role in local democracy.

Community Councils are comprised of people who care about their community and want to make it a better place to live.

As well as representing the community to the local authority, Community Councils facilitate a wide range of activities that promote the well-being of their communities. They bring local people together to help make things happen, and many Community Councils protect and promote the identity of their community. They advise, petition, influence, and advocate numerous causes and cases of concern on behalf of local communities. Here are some examples of their work from across the county:

- Carry out projects to enhance their community for all types of citizens – older people, single parents, minority groups, young people etc.
- Issue community newsletters
- Conduct local surveys
- Campaign on local issues
- Organise community events (such as local Gala Days)

Community Councils are the strongest means of becoming involved with your local area. It will give you a good understand of the workings of local government and what is going on locally and nationally. All local authorities in Scotland encourage citizens to become a member of their Community Council.

## **SECTION 2: BEING A COMMUNITY COUNCILLOR**

Being a Community Councillor involves having a shared responsibility for the success of the Community Council. You must commit to the role and uphold the standards and values of the Community Council. All members should contribute to discussions and decisions concerning the work of the Community Council.

## **SECTION 3: WHAT ARE THE ROLES IN A COMMUNITY COUNCIL?**

You can play your part in your Community Council in various ways. Each Community Council must have a Chairperson, a Treasurer, and a Secretary – the ‘office bearers’ – and these roles carry the most responsibility. The office bearers, as elected members representing their local communities, are responsible for the efficient and effective operation of the Community Council.

This does not mean to say that the office bearers must do all the work, but they are responsible for making sure that everything is done according to the Scheme of Establishment for Community Councils.

All members of the Community Council are equally responsible for the Community Council's decisions and actions and may take on additional activities in support of the Community Council. The office bearers' roles are described below, followed by an outline of other potential roles within a Community Council.

### **THE CHAIRPERSON**

The Chairperson (otherwise known as the 'Chair'), is elected in line with the rules set out in the Community Council's Constitution, which provides the framework of procedures that govern the work of your Community Council).

She / He have the most important role to play in making sure that Community Council meetings run smoothly. They are expected to know the rules by which the Community Council operates, and make sure that at all stages of its work it is operating in line with any formal procedures. The Chair can be called upon to act as an arbiter when there is a disagreement about how the rules should be interpreted.

#### **Tasks of the Chairperson (within the meeting)**

- be familiar with all agenda items
- open the meeting
- introduce all agenda items
- make judgements about how much time to allocate to each agenda item
- encourage people to make their contributions brief and to the point and when necessary, bring speakers back to the agenda
- get through the agenda in the allotted time and make sure that decisions are taken on all of the agenda items
- remain neutral
- help the group to take responsibility for what it wants to accomplish
- have an overview of the task/goals of the meeting and help to clarify goals

#### **To support inclusive discussion**

- select speakers;
- encourage and help everyone to participate
- encourage expression of various viewpoints
- make sure that people keep to the subject
- suggest ways of handling conflict

#### **Decision making and voting**

- look for areas of agreement / test to see if there is agreement
- clarify and summarise discussion and
- end discussion
- decide when to vote and conduct the vote

- make sure decisions are taken and agreed, and make sure that the responsibility for action is allocated and recorded

### **Outwith the meeting**

The Chairperson's role may extend outwith Community Council meetings. They may be called upon to act on behalf of the Community Council between meetings.

They may need to represent the Community Council in dealing with outside bodies and may be involved with public relations, dealing with the press, TV, and radio.

### **THE VICE-CHAIRPERSON**

The Vice Chairperson has no specific duties other than standing in for the Chairperson when he or she is unable to be present. In this event, they will need to have a good understanding and be familiar with the role fulfilled by the Chairperson.

### **THE SECRETARY**

The role includes:

- arranging venues for meetings
- compiling minutes of meetings
- circulating previous minutes, meeting agendas and circulating information to members
- answering all correspondence, writing any letters
- liaison with officials of Midlothian Council and other agencies
- occasionally, may be involved with public relations, dealing with the press, TV and radio (may be a role for the Chairperson).

The Secretary will need access to IT resources. Duties involved in the work of the Secretary may be delegated to other members of the Community Council, for instance a Community Council member could act as Minute Secretary to take meeting Minutes.

### **THE TREASURER**

The Treasurer is responsible for:

- managing the Community Council's bank account including maintaining financial records so that they clearly indicate the financial position of the Community Council
- issuing all cheques and/or making payments, (as per the rules in the Constitution), on behalf of the Community Council
- ensuring money is only spent in a manner approved by the Community Council members as recorded in the minutes;
- recording and reporting the financial position of the Community Council at each meeting
- keeping proper accounts of all receipts and expenditure and prepare an annual statement of accounts for the Community Council and any associated sub-groups of the Community Council, where sub-group accounts are reported and recorded separately

- in preparation for the Annual General Meeting (AGM), Community Councils should use an independent, external examiner to approve the accounts.
- accounts must be presented and approved at the AGM

Generally, Treasurers should avoid paying out money except by cheque. This makes accounting for expenditure much easier.

The standard form of words for the Treasurer's Certificate is:

*"I certify that the above accounts have been prepared by me and accurately reflect the financial provisions relating to the period .....* "

When the statement has been certified and approved, it should be sent to the local authority, as part of the process of accepting the annual administration allowance.

### **Other roles**

Community Councils might want to consider if there is a need to create a specific role in response to an area/project that needs a lot of attention. For example, where there is a need to reach out to a specific group that is under-represented in the Community Council (e.g. young people, minority ethnic group members or people with a disability) the group may wish to create the post of Engagement Officer. They may also wish to create a role for a member to be responsible for the development and maintenance of the Community Council Social Media presence. Other roles that might be created to support the work of the Community Council, depending on its circumstances are:

- Publicity Officer
- Planning Officer
- Communications Officer
- Events Officer

## **SECTION 4: YOUR INVOLVEMENT**

You do not have to take on a specific role to be involved in your Community Council. All members play an important part by thinking creatively about what you can do together to improve the lives of local citizens. If you do take on a role, then you do not need to feel restricted to only doing this – the main role of Community Council members is to support each other and work together to make things happen.

## **SECTION 5: THE COMMUNITY COUNCIL FRAMEWORK**

Community Councils act as a voice for their local area. Their specific role can vary according to their local area's needs. Their size, in terms of area and population, differs across the country.

They can complement the role of the local authority but are not part of local government. They should have a positive working partnership with the local authority - therefore, they must be informed on the council's policies, and keep the council updated on their activities.

Community Councils must represent all people in the area without prejudice. Therefore, they should:

- Be non-party political and non-sectarian.
- Represent a full cross-section of the community and encourage the involvement of people regardless of gender, race, age, disability, nationality, or sexual orientation.
- Community Councils, by law, must be non-discriminatory. They should be welcoming, open, and non-judgmental toward all citizens, including young people and individuals from hard to reach or minority groups. Nobody should be blocked from Community Council activities.

For further information, see the [Code of Conduct for Community Councillors](#)

## **SECTION 6: COMMUNITY COUNCILS' ROLE IN PLANNING**

Planning authorities receive comments and objections on planning applications from statutory consultees like Scottish Natural Heritage or Historic Environment Scotland, from neighbours who are given special notification, and from a wide range of interested parties.

Community Councils have a statutory right to be consulted on applications for planning permission and the Community Council has a special role, representing a broader yet still local view that can be set alongside the comments of those with a more individual interest.

Authorities are obliged by law to decide planning applications in accordance with the development plan for the area (that is, where applicable, the approved strategic development plan and the adopted local development plan or local plan, taken together) unless material considerations indicate otherwise. Coming to a reasoned judgement on these matters lies at the heart of the planning authority's discretionary power to approve, refuse or modify applications under the law and within a framework of national policy guidance. The Community Councils' key task is helping to provide an informed local context within which appropriate decisions can be made in the public interest. In this regard, a role for a member to have a specific remit for Planning is an important one.

## **SECTION 7: COMMUNITY ENGAGEMENT**

As representative voices for their communities, it is important that Community Councils do not just share information, but also gather the views of local citizens.

Community Councils should be proactive, consulting, and engaging local residents, taking action in the interests of their communities. This will enable them to ascertain and express the views of the community to Midlothian Council and other public bodies such as Police Scotland and NHS Lothian. Other local community groups and local authorities are more likely to work with and listen to the Community Council.

Every member of your community can be a valuable member of society with something to contribute. Community Councils should attempt to engage with a wide range of people to create

a large diversity of perspectives and insights that can help the Community Council to achieve more. Engaging community members in making decisions is more likely to make them more proactive about their community's needs. Community engagement is about building open and honest relationships between citizens and the Community Councils, based on mutual trust.

Engagement can range from providing information about current work or projects, to consulting on particular issues, to full empowerment whereby the community has decision-making powers. Some engagement needs to be ongoing, some of it might be short-term, and some will involve staging 'one-off' events.

There is no one correct way for a Community Council to engage with its community. It is important to engage with your community face to face at meetings and events. However, as was the case in 2020, this may not be possible. Flyers, posters, placing Minutes and Agendas in public places such as Libraries and Notice Boards will contribute, but increasingly, the use of digital resources such as surveys or social media will reach a larger or a *new* audience.

The Internet, use of email, electronic newsletters, websites, and social media has enabled Community Councils to create new ways to engage with their communities. These methods of digital engagement are easy to use, and most of it is free or very low cost compared to other forms of engagement. For spreading information, it is more flexible and cheaper than print media but it should not replace traditional engagement methods.

Not everyone has access to the Internet and it is always good to speak to someone and engage in dialogue!

#### **SECTION 8: IMPROVEMENT SERVICE COMMUNITY COUNCIL WEBSITE**

The improvement service has developed a website that provides a wide range of resources and information. Click on the link below:

[www.communitycouncils.scot](http://www.communitycouncils.scot)



## SECTION 9: MAYFIELD AND EASTHOUSES COMMUNITY COUNCIL CONSTITUTION

1. **Name** The name of the Community Council shall be '*Mayfield and Easthouses Community Council*' (hereinafter called '*The Community Council*').
2. **Area** The area of the Community Council shall be as shown on the map attached to Midlothian Council's Scheme for the Establishment of Community Councils.
3. **Objectives** The Objectives of the Council shall be:
  - a. To ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, to fairly express the diversity of opinions and outlooks of the residents and to take such action in the interests of the community, as it appears to it, to be desirable and practicable.
  - b. To express the views of the community to the local authority for the area, to public authorities and to other organisations.
  - c. To retain the identity of the Community amongst people living within the Community Council area and the safeguarding of their interests.
  - d. The encouragement of co-operation between the various community organisations in the Community Council area.
  - e. The fostering of a strong community spirit in the Community Council area and the maintenance of historical or traditional links.
  - f. The continuation of all local customs and events.
4. **Role and Responsibilities** The role of the Community Council is to take such action in the interests of the community, as it appears to be expedient and practicable. Members of the Community Council should be guided in their responsibilities by the Code of Conduct for Community Councillors, shown at Appendix C to Midlothian Council's Scheme for the Establishment of Community Councils.
5. **Membership** The Community Council shall consist of twelve persons elected by and from all persons aged sixteen and over living in the Community Council area whose names appear on the relevant Electoral Register. In the case of candidates who are not on the electoral register solely by reason of age, their nomination form must be accompanied by a declaration signed by 2 individuals who are named on the electoral register for the Community Council area confirming that the nominee is a resident of the Community Council area.

6. **Method of Election** Members of the Community Council shall be elected in accordance with Midlothian Council's Scheme for the Establishment of Community Councils.
7. **Resignation of a Community Councillor** A Community Councillor may resign from the Community Council at any time by submitting a letter of resignation to the Chairperson or Secretary. If a Community Councillor does not attend three consecutive meetings of the Community Council, and failed to submit apologies to the Chairperson or Secretary, the Community Councillor shall be considered to have resigned. Unless there are exceptional circumstances, a Community Councillor who does not attend six consecutive meetings of the Community Council shall be considered to have resigned.
8. **Casual Vacancies** A casual vacancy in the Community Council occurring by reason of death, resignation, removal or disqualification, shall be filled as soon as may be possible by a vote of the Community Council. The person appointed to fill a casual vacancy shall hold office and be entitled to enter into discussion and to vote on all matters until the next election of members to the Community Council. The proceedings of the Community Council shall not be invalidated due to any vacancy in the number of members thereof above the necessary quorum for each meeting.
9. **Voting Rights** All elected members of the Community Council, including those appointed to fill a casual vacancy, shall have equal voting rights. Other than for the election of office bearers, voting shall normally be by a show of hands, unless the Chair decides otherwise. In all votes, where there is a tie, the Chair shall have a casting vote.
10. **Election of Office Bearers** At the Annual General Meeting featuring occasion of elections, the Community Council shall elect from within its members a Chairperson, Vice-Chairperson, Treasurer and Secretary and any other such officers, as it shall from time to time decide. Office Bearers will be elected for a period of 3 years, and may be re-elected thereafter. In the event that more than one person is nominated for a particular office, a ballot shall be held for that post.
11. **Committees of the Community Council** From time to time, the Community Council may form a sub-committee of the Community Council to gather, collate, and provide information to the Community Council. Membership of such sub-committees will be determined by the Community Council, and may include members of the Community

Council and co-opted persons of relevant experience. All deliberations of Community Council sub-committees must be referred to the Community Council for decision.

**12. Meetings of the Community Council.** The Annual General Meeting of the Community Council shall be held each year in June, where the Chairperson shall deliver a report and Treasurer shall provide the Audited Account. Elections to the Community Council shall be held at every third Annual General Meeting. Thereafter, the Community Council shall meet throughout the year at intervals not exceeding two months. Excluding occasions when an extraordinary general meeting requires to be called, the Community Council will not meet in January or July. Dates of regular meetings during the year, the times of meetings, and the venue, shall be agreed at the first meeting of the Community Council following election, or at the Annual General Meeting. A quorum of four (4) members shall be sufficient to hold a meeting of the Community Council, during which members must adhere to the Standing Orders published as Annex A to this Constitution. Minutes are to be taken of each meeting of the Community Council, and a draft is to be circulated to members of the Community Council and to the Midlothian Council Liaison Officer, within 14 days following the meeting or as soon as practical thereafter. Minutes should be approved at the next meeting of the Community Council and copies should subsequently be displayed in the Mayfield Library, on digital media and in other places deemed suitable.

The Community Council may conduct virtual (on-line) meetings by means of a telephone conference, video conferencing facility or similar communications equipment - so long as all Community Council representatives participating in the meeting can hear each other; a Community Council representative participating in a meeting in this manner shall be deemed to be 'present' in person at the meeting. For the avoidance of doubt, a vote given by an attendee participating in the meeting through any of these methods will be taken to be given personally. Hybrid (combined regular and virtual) meetings of the Community Council shall be valid provided they are conducted in the same manner as meeting described above.

**13. Public Participation in the Work of the Community Council.** All meetings of the Community Council shall be open to the public, except that the Community Council may by resolution agree to go into private session for the consideration of any items of business of a particularly private or confidential nature, where in the interests of the community it appears to the Community Council that it would be advisable to do so. Members of the public shall be invited to address the Community Council on

matters within its objectives. Any member of the public wishing to address the Community Council should give the Secretary formal notice of this intention seven days prior to the meeting but the Chair may accept any request at shorter notice.

**14. Liaison with Midlothian Council.** Midlothian Council has identified an official to act as a Liaison Officer with Community Councils. Unless there is a specific agreement, or an issue is a specific departmental issue, all correspondence between the Community Council and Midlothian Council should, in the first instance, be directed through that Liaison Officer. The Community Council must advise the Liaison Officer on the annual calendar of scheduled meetings, the AGM and give at least 10 working days' notice of any Special Meeting arranged by the Community Council. Additionally, the Community Council must provide the Liaison Officer with a copy of the draft minutes of each meeting within 14 days of that meeting or as soon as practical thereafter.

**15. Control of Finance.** All moneys held by the Community Council, from whatever source, are solely to further the objectives of the Community Council, and shall be held by an elected Treasurer on behalf of the Community Council. The Treasurer is authorised to receive moneys on behalf of the Community Council, and when approved by the Community Council, to disburse moneys held. All disbursement shall either be by cheque (which must be signed by at least two Office Bearers who are not related to each other or co-habitees) or by any approved debit payment including Banker's Automated Clearing System (BACS) (provided that the action is included in meeting minutes). Receipts for expenditure must be obtained and held by the Treasurer. The Treasurer is to keep a written account and is to prepare and have the accounts independently examined for presentation and approval at the Annual General Meeting.

**16. Title to Property.** The title to all property owned by the Community Council shall be vested in the Chairperson, Treasurer and Secretary, and their successors in such offices.

**17. Alterations to the Constitution.** Any proposal to alter this constitution must be delivered in writing to the Secretary of the Community Council not less than twenty-eight days before the date of the meeting at which it is first to be considered. Such an alteration will require the support of the two thirds of members of the Community Council present and voting at an Annual General Meeting or a special Community Council meeting convened to discuss the matter. Before such an

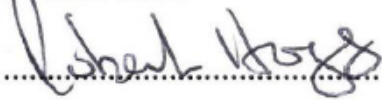
amendment can be enacted, it must be submitted for approval by the Midlothian Council Liaison Officer.

**18. Dissolution.** The Community Council shall be dissolved when, following three consecutive meetings, it has not been able to form a Quorum, or at any time that a vote of two thirds of the Community Council members present so decide. Further, Midlothian Council may dissolve the Community Council when the terms of the Midlothian Council's Scheme for the Establishment of Community Councils, Para 18, are not compliant.

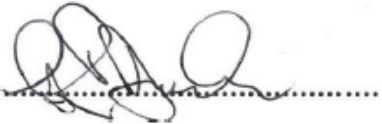
**APPROVAL AND ADOPTION OF THE CONSTITUTION**

This Constitution was adopted by the *Mayfield and Easthouses Community Council*:

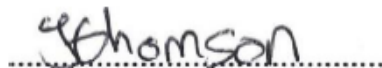
**Date:** 1<sup>st</sup> June 2022

**Signed:** 

**Chairperson**



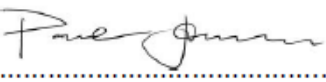
**Member**



**Member**

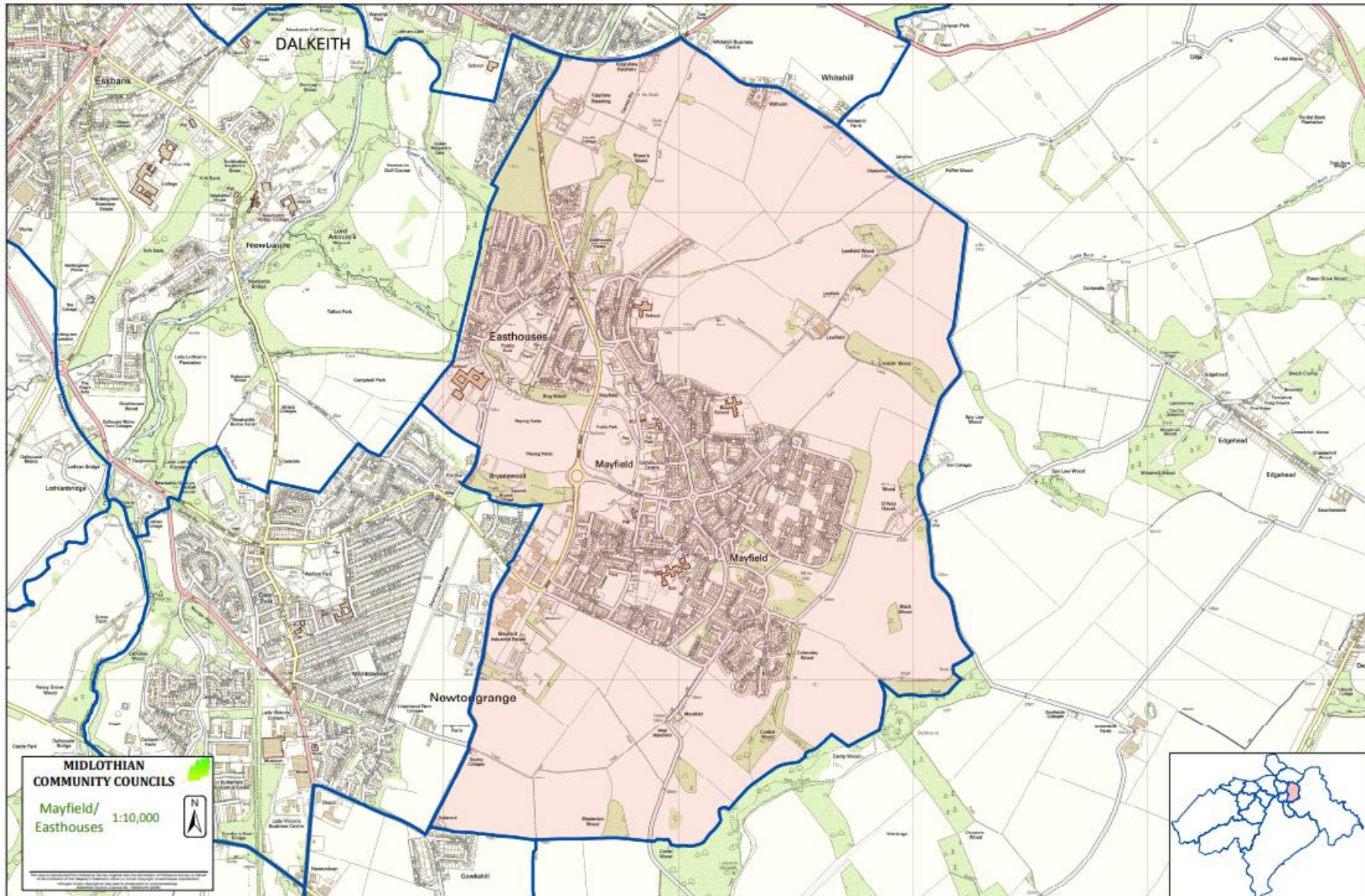
The Constitution was approved on behalf of Midlothian Council on:

**Date:** 8<sup>th</sup> June 2022

**Signed:** 

**Midlothian Council**

## APPENDIX 1 – Mayfield and Easthouses Community Council Area



## **SECTION 10: MIDLOTHIAN COMMUNITY COUNCIL CODE OF CONDUCT**

### **Service to the Community**

As a Community Councillor, you have a duty to act in the interests of the local community, which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Councils Scheme for the Establishment of Community Councils, as set out by your local authority under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the Community Council, the views of the community as a whole, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

### **Selflessness**

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family, or friends.

### **Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by the Community Council, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary of the Community Council.

### **Objectivity**

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, taking account of information, which is provided to you or is publicly available, assessing its merit, and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however, you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

### **Accountability and Stewardship**

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to the Council's Scheme for the Establishment of Community Councils and this Code of Conduct.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in the Councils Scheme for the Establishment of Community Councils. They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting. Any breach of the Council's Scheme for the Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

### **Openness**

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the Media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

### **Honesty**

You have a duty to act honestly. You also have an obligation to work within the law at all times. You must declare any private interest relating to your Community Council duties and



take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

### **Leadership**

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

## **Respect**

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position; you have dealings with in your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious, or corrupt purposes.

### **Click for Related Procedural Documents:**

[https://www.midlothian.gov.uk/info/200284/your\\_community/534/community\\_councils/2](https://www.midlothian.gov.uk/info/200284/your_community/534/community_councils/2)

- Handbook for Scheme for Community Councils
- Midlothian Scheme for Community Councils
- Election of Community Councillor Nomination Forms
- Boundary Maps for Each Community Council
- Midlothian Community Council Complaints Procedure

## SECTION 11: COMMUNITY COUNCIL DETAILS

Meet on the first Wednesday of the month (except January and July), 7pm in Mayfield and Easthouses Church

The Annual General Meeting (AGM) is held in June of each year

The Community Council can be contacted:

<b>Position</b>	<b>Name</b>
Chairperson	Robert Hogg
Vice Chairperson	Michael Hogg
Treasurer	Judy Thomson
Secretary	Theresa Morrison
Email	<a href="mailto:enquiries@mayfieldandeasthouses.cc">enquiries@mayfieldandeasthouses.cc</a>
Website	<a href="http://www.mayfieldandeasthouses.cc">www.mayfieldandeasthouses.cc</a>
Facebook	<a href="http://www.facebook.com/groups/MayfieldandEasthousesCommunityCouncil">www.facebook.com/groups/MayfieldandEasthousesCommunityCouncil</a>