



**EXCERPT FROM THE MINUTES OF  
THE AUDIT AND GOVERNANCE PANEL  
OF 6 NOVEMBER 2024**

**Call-in from Cabinet of 29 October 2024 - “Community Councils - Amendments to the Scheme for Establishment of Community Councils”**

Reference was made to the Minutes of the Cabinet of 29 October 2024 (Page 2, paragraph 4) where the Cabinet decided

- (1) to update the Scheme for Establishment to reflect administrative changes to the Scheme as highlighted in red in Appendix 1 to the report; and
- (2) to approve the name of Dunure Community Council to be changed to Fisherton and Dunure Community Council following a request from Dunure Community Council.

The Panel was advised that the decision had been the subject of a call-in.

Councillor Cochrane spoke to the call-in and advised that, as the Cabinet was formed by the Administration and was a political forum this opened up the Council to accusations of political bias. He further advised that the call in proposed the substitution of the word “Council” for the word “Cabinet” where it occurred in the Report in relation to dissolution of a Community Council. The Chief Governance Officer advised that the call-in was competent and that it would be a decision for Members as to whether the more appropriate decision making forum was Council rather than the Cabinet. She also stated that the Scheme of Delegation would require to be amended if the motion was approved.

A Member enquired about the process involved in dissolving a Community Council prior to it being heard at the Cabinet; and The Service Lead - Thriving Communities advised that the Scheme of Establishment had been approved in 2020 and requests come direct from Community Councils which were then brought to Cabinet to be approved. He also outlined that all Community Council Chairs and Secretaries had been invited to a meeting the following day to discuss a proposal to review the Scheme in 2025.

Following a query by a Member, about Community Council consultation in relation to proposed changes to the Scheme, the Chief Governance Officer clarified that in this case, the proposed changes in the report were administrative changes to reflect internal governance arrangements within the Council, and as such were matters of fact and could not be changed and as a result, consultation was not appropriate.

A Member requested reassurance that administrative changes would not be applied unduly in the future. The Service Lead - Thriving Communities agreed and advised that there was a positive relationship with the South Ayrshire Community Councils.

A Member queried the decision for Cabinet to be used within the Scheme of Delegations when dealing with Community Councils and if previously it was Council and also enquired about the way such changes would be dealt with going forward. The Service Lead - Democratic Governance responded saying that historically the Public Processes Panel had dealt with Community Council business, however, this no longer existed and that there was a specific Delegation in the Scheme of Delegation at 4.4.3 which was the reasoning for Cabinet.

A Member stated that it was helpful that a clear process for dissolution of a Community Council had been set out, though given the seriousness of the issue, it was anticipated that such a decision would be a matter of last resort.

The Panel

**Decided:** to approve the recommendation for the report of 29 October 2024 to be brought back to Cabinet and the word "Council" to be substituted for the word "Cabinet" where it occurred in the report in relation to any proposed dissolution of a Community Council; and that corresponding changes to the Council's governance documents reflect this change.

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