



e-community council

Deliverable D2

Version 2.2

Towards an e-Democracy Model for Communities

Authors: Angus Whyte, Ann Macintosh, Andy McKay-Hubbard, and Danae Shell.
International Teledemocracy Centre, Napier University

Circulation: **Public**

Document History

Version	Date	Comments
1.0	17 Dec 2004	First Draft, for comment at Steering Group meeting on 21 st December 2004.
1.1	7 Jan 2005	Second draft incorporating comments from Peter Rickard and Michael Graham
2.1	29 July 2005	Revised to reflect current results
2.2	5 Sept 2005	Revised to incorporate comments from Steering Group

Contents

1	Introduction	4
1.1	Aims and Scope	4
1.2	Community Governance and e-Democracy.....	5
1.3	E-democracy and Weblogs	8
1.4	Communities Participating in this Project.....	9
2	Community Councils' Legislative Framework	13
2.1	The legislation.....	13
2.2	Community Council Schemes	15
2.2.1	Forming a community council	15
2.2.2	Constitutional objectives	16
2.3	Funding and Structure	17
3	Community Councils in Practice	19
3.1	Engaging with the Community	23
3.2	Engaging with Local Government	25
3.3	Engaging with other Public Bodies.....	27
4	Effective e-Community Council Tools	30
4.1	The e-Community Council Capabilities	30
4.1.1	Support for Coordination of Consultation Responses.....	30
4.1.2	Support for the gathering of community views	31
4.1.3	Support information dissemination and communication links	31
4.2	Evaluating Effectiveness	32
4.2.1	Evaluating Community Council Effectiveness	32
4.2.2	Evaluating e-Community Council Effectiveness	33
	Appendix 1	38
	Local Government (Scotland) Act 1973	38
	Local Government (Scotland) Act 1994	40
	The Local Government in Scotland Act (2003)	41

1 Introduction

Community Councils are playing a distinctive part in the reshaping of community governance in Scotland. Here as in the rest of the UK, national governments and policy-makers are acting on the current political consensus around giving 'neighbourhood-level' agencies greater powers and a wider role in local governance.

The ongoing research described in this report starts from the premise that Internet-based e-democracy technologies are likely to play a decisive role in how such agencies organise. They may be used to better coordinate the work of their active members and involve the wider public in communicating views to Local Authorities and other bodies on the policy decisions that may affect them.

With those aims, 7 Community Councils in central Scotland have been working with the authors in Napier University's International Teledemocracy Centre to develop and test prototype *e-Community Council* tools. The participants are Bannockburn, Cammbusbarron, Drymen, Stepps, Strathfillan, Thornhill and Blairdrummond, and finally Torbrex. The e-Community Council initiative is funded by the Scottish Executive, and has the support of Stirling Council and the Association of Scottish Community Councils.

1.1 Aims and Scope

In this report we focus on those aspects of Community Councils' work that the project participants see as most likely to benefit from e-democracy. The report therefore aims to describe:-

- The background to the project, in terms of : -
 - The case for using technology to support community governance (section 1.2 and 1.3 below) and: -
 - Social and demographic aspects of the communities represented by the participating Community Councils (section 1.3)
- What Community Councils are expected to do according to the frameworks provided by national legislation, and Local Authority regulation. (section 2).
- What Community Councils currently do in terms of gathering the community's views and representing them to the Local Authority and other bodies (section 3)
- How e-Community Council tools may be able to improve capabilities, and criteria for evaluating whether they have done so (section 4)

The current report may be read in conjunction with *D1 e-Community Council User Requirements Specification*, which describes in further detail the functions required of e-Community Council tools based on the Weblog or 'blog' format.

The e-Community Council project is a work in progress, as we noted above. The "model" given in this report is not intended to be comprehensive nor prescriptive. It is intended as a snapshot of the mutual learning resulting from ITC's researchers collaborating with the Community Councillors involved; a process to be documented in three further reports:-

- *Best Practice Recommendations*: to provide straightforward guidance on the coordination and technical aspects that a Community Council or similar body should consider when setting up and running e-Community Council tools.
- *Evaluation of an e-Community Council Pilot* to document the pilot results from the 7 participating Community Councils and provide evidence against criteria and indicators included in section 4 of this report.
- *e-Community Council Final Report*: to document the projects results in full, in terms of an elaborated 'e-democracy model for communities'.

These will be made available on the completion of the project in January 2006.

1.2 Community Governance and e-Democracy

Community governance; the process through which people are represented in public decision-making from the most local level upwards; is rapidly changing and acquiring greater social and political significance. Both in Scotland and the UK more generally, these changes represent new attempts to address declining public interest in politics and participation in democratic institutions. Recent and forthcoming developments in local government legislation give the neighbourhood or community more prominence in local governance¹. Meanwhile, Community Councils are taking their own initiative to develop new ways of working as this report documents.

Scottish society is known for its 'community-mindedness' in comparison with the rest of the UK². However policy-makers' concerns over lack of community cohesion are mirrored in a lack of public engagement in formal democratic processes. It is clear from the increasingly low turnout at elections that traditional democratic processes no longer engage people.

¹ Office of the Deputy Prime Minister (2005) "Citizen Engagement and Public Services: Why Neighbourhoods Matter"

² "For the good neighbour policy, look northwards" Guardian, 10.6.05

In Scotland, in the May 2003 elections³ to the Scottish Parliament the average turnout was 49.4% as compared to 59% in 1999. Less than half the electorate voted for their elected representative. In the constituency of Glasgow Shettleston only 35.41% voted. The situation in local government is even worse. For example the City of Edinburgh Council May 2003 election results⁴ showed an average drop in turnout of 9.71%.

In seeking to reverse this trend, recent local government legislation has placed fresh emphasis on 'community leadership'. In Scotland the *Local Government in Scotland Act 2003* has provided local authorities with a statutory basis for "Community Planning", to work for "Best Value" services in partnership with Community Councils and other local bodies⁵.

Further need for innovation comes from the Local Governance (Scotland) Bill, which is now enacted and will lead to a proportional system of voting from 2007. As a result, in place of the current process for electing one Councillor per ward, Councillors will be elected to multi-member wards with 3 or 4 members depending on the ward's size.

As Stirling Council's Community Governance Strategy recognises⁶, this will call for innovative ways for Councillors to listen to and involve communities, including the members of Community Councils within their ward boundaries. This need to innovate is also underpinned by the 2003 Act, which gives Local Authorities a general "power to advance well being".

The e-Community Council project aims for such innovation. Although it has been supported by Stirling Council the initiative is more 'ground-up' than that suggests. The project was the initiative of Strathfillan Community Council, who worked with others in the Stirling Assembly, the Association of Community Councils in the National Park, the Association of Scottish Community Councils, and Dr Sylvia Jackson MSP⁷ to obtain backing from the Scottish Executive.

'E-democracy' tools have been developed and evaluated by the International Teledemocracy Centre and others since the late 1990s. There is growing evidence that local and national governments have found benefits in engaging 'a wider public' using e-democracy, and that increasing numbers of the public also find benefit in the convenience of getting involved online, and value the prospect of more transparent and responsive decision-making.

³ www.scottish.parliament.uk/research/briefings-03/sb03-25.pdf

⁴ Available at: <http://www.edinburgh.gov.uk> (consulted July 2005)

⁵ 'Local Government in Scotland Act 2003; Community Planning, Duty to Secure Best Value and Power to Advance Well-being Guidance' Scottish Civic Forum Briefing available at: http://www.civicforum.org.uk/briefing/briefing_pdf/old/local_government_scotland_act.pdf (consulted July 2005)

⁶ 'A Community Governance Strategy for the Stirling Area 2004-2008' Stirling Council available at: www.stirling.gov.uk/index/community/involvement

⁷ MSP: Member of the Scottish Parliament

Much innovative work has been undertaken in Scotland using online discussion forums and petitions to complement the paper-based and in-person mechanisms available for the public to raise their concerns with representatives⁸.

There is an internationally recognised need for innovation in democratic processes. For example the OECD recently issued guidance to governments, arguing that democratic political participation must involve the means to be informed, the mechanisms to take part in the decision-making and the ability to contribute and influence the policy agenda. Specifically it defines the following terms :-

- *Information*: a one-way relation in which government produces and delivers information for use by citizens. It covers both 'passive' access to information upon demand by citizens and 'active' measures by government to disseminate information to citizens.
- *Consultation*: a two-way relation in which citizens provide feedback to government. It is based on the prior definition by government of the issue on which citizens' views are being sought and requires the provision of information.
- *Active participation*: a relation based on partnership with government, in which citizens actively engage in the policy-making process. It acknowledges a role for citizens in proposing policy options and shaping the policy dialogue – although the responsibility for the final decision or policy formulation rests with government.

The report notes that there has been relatively little evidence of good government practice in 'e-participation', i.e. to support the area of 'active participation'; working with communities to harness Information and Communication Technologies for policy making in partnership with them⁹. Moreover, the OECD comment that evaluation of e-democracy at all levels of governance is still an emerging field and rarely undertaken.

Evaluation criteria and methods are now becoming more widely used to assess the 'added value' of e-democracy¹⁰. For example recently a *Local e-Democracy National Project* showed English local authorities achieving some initial success

⁸ See for example: Macintosh, A.; Malina, A.; and Farrell, S. (2002) 'Digital Democracy through Electronic Petitioning'; In McIver, W. and Elmagarmid, A.K. (eds). *Advances in Digital Government: Technology, Human Factors, and Policy*; Boston/Dordrecht/London: Kluwer Academic Publishers. pp. 137-148.

⁹ Macintosh, A. (2004) 'Characterizing E-Participation in Policy-Making'. *Proceedings of the Thirty-Seventh Annual Hawaii International Conference on System Sciences (HICSS-37)*, Big Island, Hawaii

¹⁰ Whyte, A. and Macintosh, A. (2003) 'Analysis and Evaluation of e-Consultations'. *e-Service Journal* 2, 2003

in involving people who had not previously given their views by more established methods¹¹.

1.3 E-democracy and Weblogs

Commentators on e-democracy acknowledge that Internet-based technologies change at a faster pace than the democratic processes instituted by governments. New tools for networked communication have emerged to suit the purposes of less formal everyday interaction. The weblog or (for short) blog is one such development, first emerging in the late 1990's as a type of online diary or journal focused around links to other sites of interest (or other blogs) on the Web, and offering brief comments on those links for added value. .

The features commonly associated with blogs^{12,13} include: -

- By enabling faster and easier content modification that does not require knowledge of HTML, blogs can be used by almost anyone, and be responsive to people's daily needs.
- Posts are primarily textual, but they may contain photos or other multimedia content. Most blogs provide hypertext links to other Internet sites, and many allow for audience comments
- Blogs typically fall into three types: (1) filters using external content, like a description of world event); (2) personal journals relating thoughts on a topic; (3) notebooks distinguished by longer, focused essays.
- Blogging is seen as a social activity, forming communities of interest around particular topics and perspectives.

These characteristics appear to lend themselves to the task of designing e-democracy systems with public appeal. For example a recent Hansard Society report¹⁴ (Ferguson and Howell, 2004) on weblogs discussing their uses and impact on politics, concludes: "From the perspective of politics or, more specifically, political awareness and participation in the UK, blogging is fresh and exciting." (p23).

¹¹ Whyte, A., Renton, A. and Macintosh, A. (2005) 'eDemocracy from the Top Down: An Evaluation of eDemocracy Activities Initiated by Councils and Government' Bristol City Council

¹² Herring, S., Ann Scheidt Lois, Sabrina Bonus, and Elijah Wright. (2004) Bridging the Gap: A Genre Analysis of Weblogs. *Hawaii International Conference on Systems Science HICSS-37*.

¹³ Nardi, Bonnie, Diane Schiano, and Michelle Gumbrecht. (2004) Blogging as Social Activity, or, Would You Let 900 Million People Read Your Diary? *Proceedings of Computer Supported Cooperative Work 2004*. Available at: <http://home.comcast.net/~diane.schiano/CSCW04.Blog.pdf>.

¹⁴ Ferguson, R. and Howell, M. (2004) *Political Blogs – Craze or Convention* Hansard Society, London.

Whether or not the informal style and content typical of blogs can be translated for the purposes of local e-democracy is an open question for this project. Certainly individuals require easy to use and appealing ways to access and share information and ideas on what is happening (or needs to happen) in their communities. The e-Community Council project also aims to explore whether that may extend to responding to consultations and participating in policy formulation.

1.4 Communities Participating in this Project

The 7 communities represented in the project are located in central Scotland, mainly in the areas served by Stirling Council. They are Bannockburn, Cambusbarron, Drymen, Strathfillan, Thornhill and Blairdrummond, and Torbrex. The exception is Stepps, which lies in the area served by North Lanarkshire Council.

These are small rural and suburban locales, whose demographic characteristics are detailed in Table 1 below, drawing on the 2001 National Census to compare 5 of the Community Council areas with the corresponding Local Authorities (the source of the statistics shown). These appear to show communities that are relatively affluent and middle-aged. However we should note that the statistics do not convey the economic polarisation that is present in some communities, nor the range of social problems that Community Councils address.

Unfortunately limited details were available for Bannockburn and Drymen. They are as follows: -

- Bannockburn: population circa 7,000 mainly in two suburban villages on the outskirts of Stirling.
- Drymen: population circa 915, mainly in one rural village close to Loch Lomond.

Internet access is likely to be high relative to the population as a whole, given that the participating Community Councils serve populations that are relatively affluent and highly educated. In Scotland generally, the Scottish Household Survey reports that: -

“.. the percentage of adults who make use of the internet for personal use has risen steadily from 29 per cent in the first quarter of 2001 to 47 per cent in the second quarter of 2004. Men make greater personal use of the internet than women with the figures for men generally being around eight percentage points higher than those for women.”¹⁵

¹⁵ Scottish Household Survey: Social Justice Information available at: <http://www.scotland.gov.uk/Topics/Statistics/16002/11658> (consulted July 2005)

	Stirling	Cambus-barron	Strathfillan	Thornhill & Blairdrummond	Torbrex	Steps	North Lanarkshire
Area		33.5 km2	244.5 km2	54.5 km2	0.6 km2	-	
Resident Population		3224	396	1109	1575	4393	
Population Density		96/ km2	2/ km2	20/ km2	2625/ km2	-	
Households		1316	166	423	722	1769	
Housing Stock		1342	171	437	742	-	
Resident Population							
By Gender							
Male		1563	186	547	739	-	
Female		1660	210	562	836	-	
By Age (%)							
0-4	5.6	6.5	7.5	5.1	3.8	5.0	6.0
5-11	8.5	9.0	9.5	11.3	5.4		
12-15	5.1	4.2	3.3	4.3	3.4	15.0	14.0 (5-15)
16-19	5.3	3.9	2.5	5.4	3.9		
20-24	7.2	4.3	7.0	4.1	4.5	15.0	18.0 (16-29)
25-44	27.4	27.5	30.7	26.8	21.9	23.0	24.0 (30-44)
45-59	19.9	22.7	21.4	23.9	21.9	22.0	19.0
60-64	5.3	5.8	8.8	5.7	8.6		
65-74	8.5	9.3	4.0	7.7	17.0	14.0	13.0 (60-74)
75-84	5.2	5.1	3.8	4.8	7.9	6.0	6.0 (75+)
85+	1.8	1.6	1.5	0.8	1.6		
Total	100	100	100	100	100	100	100

Table 1: Demographic Characteristics of Participating Community Council Areas

	Stirling	Cambus-barron	Strathfillan	Thornhill & Blairdrummond	Torbrex	Steps	North Lanarkshire
Household Tenure (%)							
Owner Occupied	66.6	80.9	51.8	74.1	92.4	78	58
Rented from Council	20.0	13.5	15.1	7.6	2.2	17	32
Other social rented*	2.6	0.1	17.5	0.2	0.7	0	4
Private rented unfurnished	3.0	1.7	9.0	10.0	1.5	1	1
Private rented furnished	4.4	1.4	1.8	2.6	1.9	1	1
Living rent free	3.4	2.4	4.8	5.5	1.2	2	4
Ethnicity (%)							
White	98.5	98.9	99.7	99.4	98.1	-	-
Indian	0.2	0.1	0.3	0.1	0.1	-	-
Pakistani or Other South Asian	0.4	0.2	0.0	0.1	0.6	-	-
Chinese	0.3	0.1	0.0	0.0	0.6	-	-
African	0.1	0.0	0.0	0.0	0.0	-	-
Other (including mixed)	0.6	0.7	0.0	0.5	0.6	-	-
Highest qualification attained (aged 16-74)							
First/ Higher degree, prof. qualification	26.6	33.0	16.9	30.8	39.5	-	-
HND, HNC, SVQ 4 & 5	6.5	6.5	5.4	7.2	8.1	-	-
Highers, ONC SVQ 3	18.3	16.2	19.7	14.1	17.4	-	-
O Grade, Standard Grade	21.8	21.4	24.4	21.1	17.8	-	-
None of the above	26.7	22.8	33.6	26.8	17.2	-	-

Table 1 (continued)

	Stirling	Cambus-barron	Strathfillan	Thornhill & Blairdrummond	Torbrex	Steps	North Lanarkshire
Economically Active (%)							
Employed full-time	37.8	43.6	35.8	32.5	34.7	-	-
Employed part-time	11.1	12.5	8.1	11.5	9.5	-	-
Self-employed	8.9	8.1	27.0	20.5	8.2	-	-
Unemployed	3.0	2.2	2.4	1.7	1.9	-	-
Full-time student	4.3	2.7	1.0	1.5	2.9	-	-
Economically Inactive							
Retired	13.7	15.8	8.4	10.0	27.7	-	-
Student	6.1	2.7	2.4	4.0	3.4	-	-
Looking After Family	5.5	5.7	5.7	6.2	5.8	-	-
Long-term sick / disabled	6.2	3.4	6.1	7.1	3.8	-	-
Other	3.4	3.2	3.0	4.9	2.0	-	-
Social Class % (All aged 16+ in households)						Note¹⁶	
A/B: Higher & Intermediate managerial/admin/professional	25.0	33.9	14.3	26.6	42.0	25	18
C1: Supervisory, clerical, junior managerial/admin/professional	27.3	29.5	34.7	30.0	30.4	30	27
C2: Skilled manual	13.0	11.1	14.3	20.5	4.8	11	12
D: Semi-skilled, unskilled	15.7	10.3	25.5	10.9	6.2	23	30
E: Unemployed, on benefits, lowest grade workers	19.0	15.1	11.2	12.1	16.7	10	13

Table 1 (continued)

¹⁶ N. Lanarkshire Council figures are based on the % of persons 16-74 *in employment*, i.e. excluding those who are unemployed from the social class breakdown.

2 Community Councils' Legislative Framework

Scottish Community Councils have limited powers, notwithstanding the importance that national policy makers give to renewing community governance. The Scottish Parliament (and prior to devolution the UK Parliament in Westminster) defines these powers in terms of a general role for Community Councils in the democratic process. Unlike parish and town councils in England, community councils are not a part of the formal government structure - they are explicitly not a third tier of government.

In section 2.1 we summarise the relevant legislation, key parts of which were enacted before the establishment of the Scottish Parliament in 1999. The legislation also provides a role for local authorities in enabling and constraining what Community Councils can do. They do this through limited funding and according to published "Schemes", which vary between local authorities (Councils). This also means that the specific roles and functions of Community Councils vary across Scotland. In section 2.2 we outline the Schemes operated by the two Councils directly relevant to the project; Stirling and North Lanarkshire.

The section touches on the wider democratic processes in Scotland, which we will give more attention to in the Final Report of the project. These include the consultation procedures used by the Parliament and the Scottish Executive, and the community organisations through which Local Councils carry out their respective statutory duties to involve the public in policy-making and service delivery. The Final Report will also look in more detail at differences between Scottish Community Councils and their counterparts in England and in Wales.

Our aim here is restricted to providing sufficient general background to understand Scottish Community Councils' general parameters. In the subsequent section, we will describe how they vary on aspects monitored by the Association of Scottish Community Councils through surveys of its membership. We also characterise their work by generalising from that undertaken by the project participants.

2.1 The legislation

A framework for Community Councils was established by the Local Government (Scotland) Act 1973. The Wheatley report, from which the act is derived, suggested that the Community Council would strengthen the link between local authorities and their constituent local communities. This was of particular import at the time, in the light of a reduction in the number of local authorities in Scotland. Currently there are 39 Local authorities and 1110 Community councils in Scotland.

The statutory basis for Community Councils comes from sections 51-55 of the Act and section 22 of the Local Government (Scotland) Act 1994. (See Appendix 1 for full text). Section 51 (2) of the 1973 Act defines their role as: -

“...to ascertain, coordinate and express to the local authorities for its area, and of public authorities, the views of the community which it represents, in relation to matters for which these authorities are responsible, and to take such action in the interests of that community as appears to be expedient and practicable.”

The 1973 Act also requires local authorities to set out a Scheme for the provision of community councils. The Scheme must do the following: -

- Include a map showing the area boundaries for each community council;
- Make provisions for qualification of electors, elections or other voting arrangements, composition, meetings, financing and accounts;
- Set out arrangements for the development of procedures for the exchange of information between local authorities and community councils on items of mutual interest.

Once a Scheme has been approved, the Act accords the right to any 20 electors within any of the Community Council area boundaries covered by the local authority, to set in motion whatever procedures for forming a Community Council that the local authority has defined (such as elections).

Thus the legislation is primarily concerned with setting out the responsibilities of local government in facilitating the creation of community councils. Less emphasis is put upon the actual functionality of the community council. So it is difficult to draw, directly from the legislation, a strict definition of their role, duties and rights.

Community councils do not have statutory powers: they are intended to act as a voice for their local community, representing the views of the community to local authorities and other public bodies operating in their area and otherwise to act to further the interests of their communities. They are essentially voluntary bodies established within a statutory framework.

Community councils are bound only by their particular constitutions, so in principle their role can be broad ranging. They can acquire property and staff. They do not have the power to levy rates, but are able to undertake voluntary fund raising activities on their own behalf and to receive grants from local authorities as well as being eligible to apply for any national Government grants which are appropriate to their activities.

Of the obligations given to *local authorities* in relation to community councils, it is perhaps Section 52 (d) that is most relevant to the e-Community Council

project aims. This section of the 1973 Act places an obligation on them to publish: -

“...the procedures to be adopted by which the community councils on the one hand and the local and public authorities with responsibilities in the areas of the community councils on the other will keep each other informed on matters of mutual interest”.

This provides a statutory justification for local authorities to involve Community Councils in considering how online methods can support the required exchange of information. However in current practice the nature, regularity and depth of this communication will vary considerably.

One well-established means of information exchange concerns *liquor licensing* and *planning applications*. As result of legislation tangential to that covering directly the community council, local authorities are obliged to consult them in relation to liquor licensing and the planning system. The 1976 Licensing (Scotland) Act gave community councils the right to object to the granting, renewal or transfer of liquor licenses.

In 1996, community councils were given a specific role as consultees in relation to applications for planning permission. Local planning authorities must consult community councils on planning applications affecting their areas. They are required to send community councils a weekly list of all planning applications. It is also a statutory obligation of local authorities to ensure that community councils have ready access to planning information affecting their community.

In terms of finance, community councils have the right to obtain financial support from various sources, including fund raising events and local authority or national government grants. The local authorities may provide financial and material support to the community councils as they see fit, but there is no obligation on them to do so.

The 1994 act amends the procedure for the setting up of the schemes and the modification of existing schemes in the light of changes to local authority area boundaries and powers that were made at the same time.

2.2 Community Council Schemes

This section considers the scope of the Scheme for the Establishment of Community Councils that local authorities are obliged to publish according to the legislation.

2.2.1 Forming a community council

Schemes drawn up by local authorities must define an initial method for creating the council, thereafter there is much variance. In some cases the local authority remains responsible for arranging elections, in other cases the community council itself is responsible and in some cases both bodies are involved.

In many cases there are fewer nominees than posts to fill, and so elections are infrequent as the councillors are un-opposed. Co-option is a common method of filling unfulfilled positions and in some cases representatives from other community groups are specifically sought to become community councillors. Some local authorities have expressed concern about levels of co-option as they fear that this can produce cliques, which undermines the representative nature of community councils.

In 1997 Stirling Council revised its Scheme and introduced measures to strengthen the electoral mandate of Community Councils. The main points are:

-

- Elections are to be held every three years for the entire community council
- No more than two elections per year to fill casual vacancies or shortfalls.
- These elections are to be held by secret postal ballot, using the single transferable vote method except in certain circumstances.

North Lanarkshire, within which Stepps Community Council resides, similarly provides a definition of its election process. The main points here are:

- There shall be an Ordinary Election of all elected Community Council members at least every four years.
- Every candidate for election to a Community Council must be proposed and seconded by persons with the same residential qualifications.
- Ordinary Elections to a Community Council shall take place at such times and places and in such a manner as North Lanarkshire Council determines.
- Only those persons whose names are included in the Voters' Roll for the area and are entitled to vote at local government elections shall be entitled to vote at a Community Council election for that area.
- With regard to other elections to fill casual vacancies occurring during the period between ordinary elections, it will be the responsibility of each Community Council to ensure that they are conducted in terms of guidance prepared by the Director of Administration of North Lanarkshire Council.

In both Stirling Council and North Lanarkshire Council's schemes representatives must be members of the local community, i.e. present on the electoral role for the area defined in the community council scheme.

2.2.2 Constitutional objectives

Some local authorities provide a model constitution for the community councils within their area. This helps to define their role and objectives. The constitution provided by Stirling Council for its community councils states the following as the objectives of the community council.

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, and to fairly express the diversity of opinions and outlooks of the people.
- (b) to express the views of the community to the Local Authority for the area, to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community and to foster a community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

The model constitution provided by North Lanarkshire Council gives the following similar guidance.

The objectives of the Council shall be :-

- (a) to ascertain, co-ordinate and express the view of the community which it serves to North Lanarkshire Council concerning matters for which North Lanarkshire Council is responsible;
- (b) to ascertain, co-ordinate and express the views of the community which it serves to public bodies and industrial concerns which have an affect on the community from an administrative, social or economic point of view;
- (c) to take such action in the interests of the community which it serves as appears to the Council to be expedient and practicable, and
- (d) to seek financial support from any source for projects which further the foregoing objectives.

The objectives defined by other local authority's model constitutions are broadly similar.

2.3 Funding and Structure

Community Councils do not receive direct government funding and do not have the right to levy a tax or similar obligatory method to raise funds. They can, however apply for grants from national or local government and use voluntary fund raising events.

Local authorities are required to declare, in their community council schemes, what provision they intend to make for providing financial assistance to the community councils. In reality most community councils do receive the major part of their financial or material assistance from their respective local authority.

In some Local authorities the constitution defines some elements of the internal community council structure. The number of councillors is determined by a system of banding based on the geographic area of a community, its population and its rural/urban nature. There is a minimum of 7 members.

Some constitutions also provide for the creation of sub committees consisting of members of the community council. There is also the requirement for three core office bearers per council. These are the Chair, the Treasurer and the Secretary. There can also be ex-officio members including the local elected councillor.

The regular (often monthly but frequency does vary) meeting is the main forum of discussion and planning carried out by the community council. Within this forum the community councillors can report on their work and or findings to the rest of the council. This is also a forum for external representatives to present to the council. It is within the regular meeting that all new consultations are presented by one of the councillors, usually the secretary. They then decide who, if any, will compile a response to each consultation. This effectively limits how much of the monthly meeting can be devoted to other matters.

Community councils are in one sense a voluntary body that represents the views and to an extent needs of local communities. And yet by virtue of their being created through statute and the schemes created by the local authorities, they do hold a degree of statutory recognition. This ambiguity is in a way what defines community councils within the democratic structure of Scotland.

In terms of national presence, there would seem to be a community council scheme provided by local authorities for all communities in Scotland. However, not all of these schemes currently have been taken up in the form of a functioning community council. According to the 1999 report by Goodlad et. al. *The Role and Effectiveness of Community Councils with Regard to Community Consultation*¹⁷ there were 1390 schemes provided and 1152 resulting community councils in operation, that is 83% of schemes had a functioning community council. The current figure from the ASCC is 1110 community councils.

¹⁷ Goodlad, R., Flint, J., Kearns, A., Keoghan, M., Paddison, R. and Raco, M. (1999) *The Role and Effectiveness of Community Councils with Regard to Community Consultation* The Scottish Office Centreal Research Unit, Edinburgh

3 Community Councils in Practice

In this section we consider what the requirements for Community Councils to ascertain, co-ordinate and express the views of the community entail in practice. In three subsections we consider what 'engagement' means in terms of communication with:-

- The local community
- National and local government
- Other bodies

This draws on our interviews and collaboration with the Community Councils participating in the project, from the Association of Scottish Community Council's 2004 survey of its membership, and from previous research by Goodlad et al (1999) within community councils.

The report by Goodlad et al argues (*ibid.*) that the nature of Community Councils depends significantly on the local authority and the relationships they have with each other. Beyond the requirements stated in the legislation and local authority model Schemes, which broadly state *what* Community Councils are expected to do, there is little formal definition of *how* they carry out their roles. Even where it is generally agreed that the major role is as a consultee, there is little guidance as to how this is to be carried out in practice.

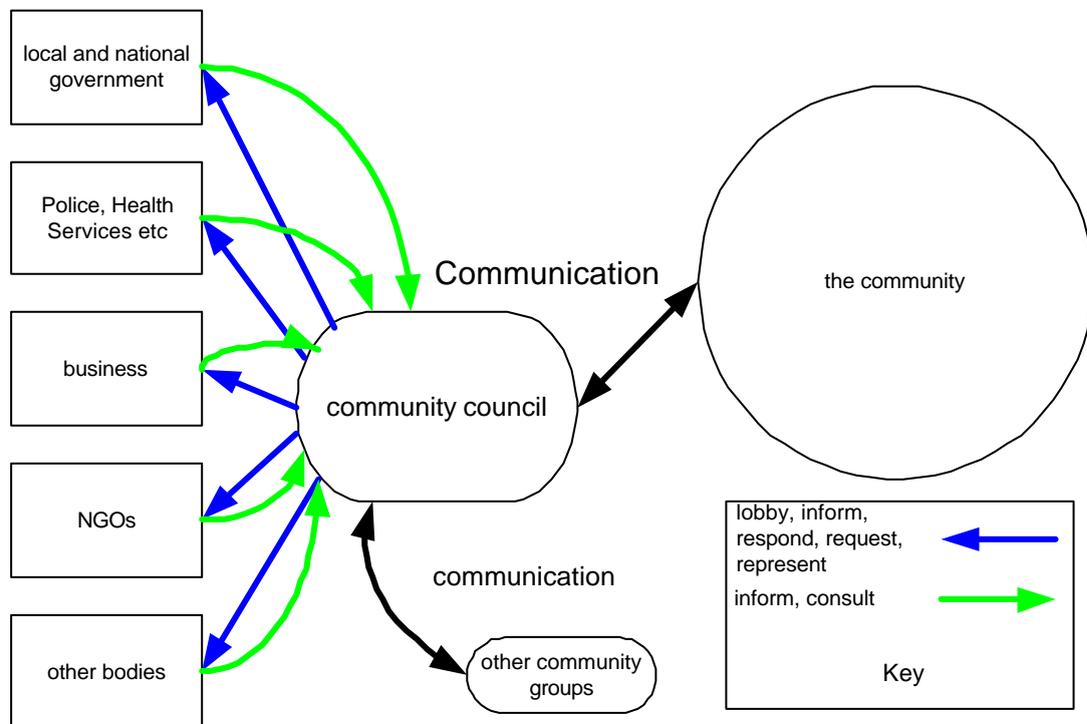


Figure 3.1 An overview of Community Council information flows

The Goodlad report¹⁸ identifies six broad activities carried out by community councils which are simplified in figure 3.1 above. They are: -

- i. Organise special events such as outings for older people or gala days which have benefits in terms of social cohesion, social integration and community development;
- ii. Provide services such as advice or minor construction or environmental projects which have immediate benefits for individuals and communities and also add to the visibility and perceptions of effectiveness of the community councils;
- iii. Liaise with other community and voluntary organisations to present a common voice, to promote co-operation between them or to negotiate a consensus on priorities for the area;
- iv. Identify and take action on issues of concern, directly or by applying pressure to public bodies or others seen as relevant;
- v. Provide a sounding board for local authorities and other public bodies in the conduct of public policy as proposals are developed and implemented, including the conduct of specific decision-making processes such as planning control as well as more strategic planning processes such as community or structure planning;
- vi. Provide a sounding board for local authorities and other public bodies in relation to specific services at the request of the service provider, including those required to achieve best value or public consultation in service provision.

Our experience of the Community Councils involved in this project finds much in common with this range of activities. They are of course interconnected, the most salient point being that increasing demands are placed on Community Councillors by the latter two, i.e. efforts on behalf of local authorities and other public bodies.

In terms of the time and effort involved, one of the main activities for our participating Community Councils is *responding to consultations* originating from local government and other external public bodies. These include policy proposals and planning applications, the latter being the most extensive and regular. The community council undertakes to present these to the local community and collect their comments and objections in order to provide a response to the consulting body.

Table 3.1 below shows examples of current issues and projects to address them (excluding the e-Community Council project), as described by 4 of the Community Councils in May 2005

¹⁸ *ibid.* p.51

	<i>Issues</i>	<i>Projects</i>
<i>Bannockburn</i>	<ul style="list-style-type: none"> • Youth disorder - ongoing meetings with Police and local community • Liaison with youth groups to set up regular youth club in community centre • Nuisance neighbours - requests from residents wrt undesirable elements being housed in area • New road layout on Glasgow road - speed calming • 20mph zones near local schools • Planning - several issues wrt new housing etc 	<ul style="list-style-type: none"> • Community newspaper launch (Sept 2004) • Village green club - tidy up of paths / rights of way • Public Private Partnership for new St Modans school - objection to proposed site on historic battlefield - council now looking at alternatives • Project with community trust to set up new play area for children of Bannockburn - phase 1 complete • Reopening of the right of way in Bannockburn at Telford Bridge - successful
<i>Cambusbarron</i>	<ul style="list-style-type: none"> • Planning - Applications awaited for large Housing Developments • Antisocial behaviour - problems with illegal motorised bikers off road • Health Services - making sure we do not see a deterioration in Health Services as a result of proposals to make changes at Stirling Royal • School and Community - The school is near capacity yet there are plans for more houses. Zoning for nursery and primary provision requires to be resolved. • Services in the community - better access to health services and better public transport • Community Identity - impact of housing proposals and issues around creation of focal points in the village. 	<ul style="list-style-type: none"> • Community Futures : Setting priorities for the future. Developing a plan for 2006. • Quarry Paths Phase 2: volunteer work over the summer to clear paths; and funding applications for drainage and signage improvements. • New benches: painting and or replacement of benches in the village on Mill Hill and Touch Road. • Traffic and Parking: safe routes to schools in progress & plan for 20mph zone • Better Health: Local first aid courses organised at the new year

Table 3.1 Typical Community Council issues and projects

Table 3.1 (Continued from previous page)

	<i>Issues</i>	<i>Projects</i>
<i>Thornhill & Blair-Drummond</i>	<ul style="list-style-type: none"> • Proposed Civic Amenity site at Craigforth • Public toilets • Conservation status for Thornhill • Street cleaning • Lay-by on A873 	<i>None current</i>
<i>Stepps</i>	<ul style="list-style-type: none"> • Residential Over-development. Actual house building far exceeds planned development • Pressure for building on 'green belt'. This goes beyond 1. So far development has been restricted to 'brown field' sites but speculative eyes are on the surrounding tenanted farm land • Siting of new PPP Primary School/Library/community Centre. Strong local objections to the loss of open space. • Pressure from Local Council for Community Council to join its local forum. NLC won't recognise the established Association of North Corridor Community Councils. • Downsizing of community police service. • Condition and misuse of infrastructure. This covers lack of action on the issues of speeding, road and paths defects, illegal and irresponsible parking etc 	<ul style="list-style-type: none"> • Community Engagement.: support for a new monthly magazine which is delivered to local households. • Town Twinning. Quite a lot of effort put into this to help maintain the identity of the village. • Planning Watch. This takes up a lot of time to keep on top of the issues above. • Association of North Corridor Community Councils. This is a voluntary umbrella group of 4 Community Councils facing similar issues. • Village Heritage Recording. The CC supports two enthusiasts in the collection and archiving of old photographs and interviews with older members of the community, e.g. exhibition celebrating 90 Years of Scouting in Stepps.

3.1 Engaging with the Community

In principle and in practice much of what Community Councils do can be described as 'engaging with the community'. The examples in table 3.1 above show a variety of activities to inform local people of events, to take up issues raised by them and pursue projects that address those issues, and to gauge local opinion on them. These activities are summarised in Figure 3.2 below.

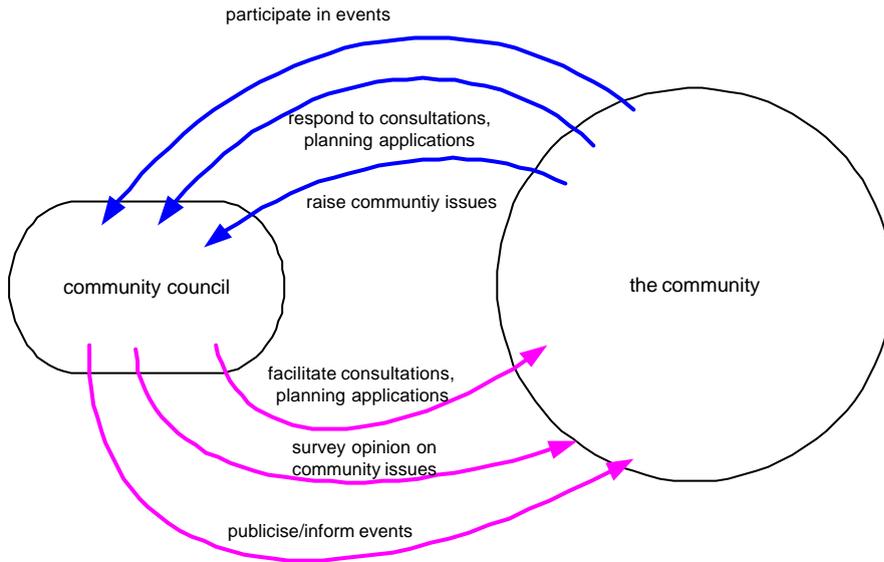


Figure 3.2 Community Councils Engaging the Community

As we have mentioned, the participating Community Council members and especially the Secretaries feel under increasing pressure to coordinate responses to consultations initiated by local government and other public bodies. This is clearly not unusual as it also reported in Goodlad et al's 1999 report, which comments that "evidence suggests that none could respond within the time and resources available to them to the volume of expectations implied by the correspondence most receive"¹⁹.

As community councillors are local residents themselves they are party to the "word on the street" and will also have their own views on community issues. Given the consultative work load imposed on the community council, consultations are often responded to by members without direct consultation of the wider community. It is felt that there are too many consultations to allow

¹⁹ Ibid. p. 41.

direct communication with the public on each that is relevant, using current methods. These are shown in Figure 3.3 below

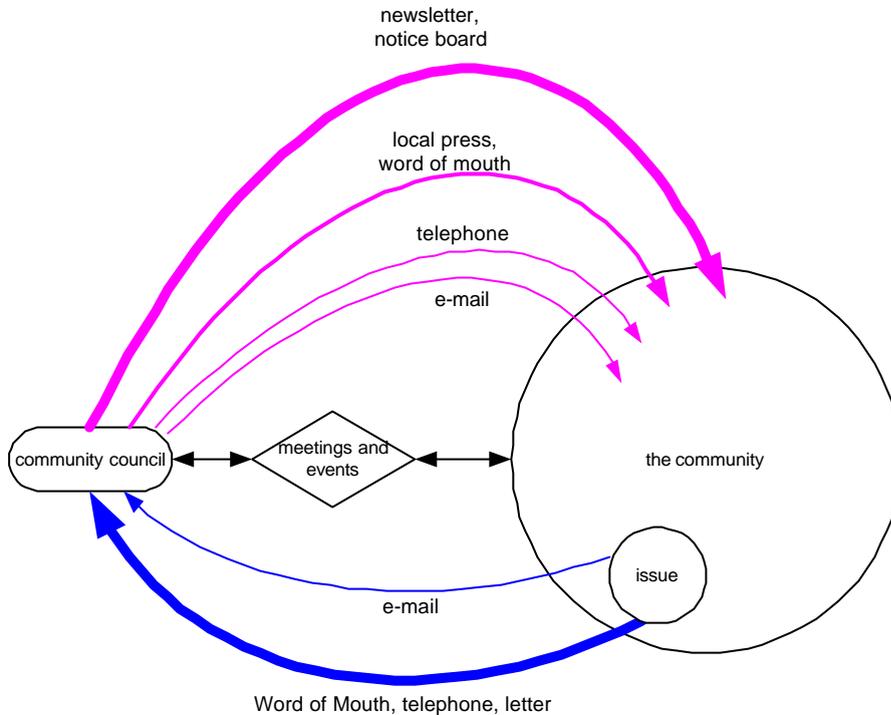


Figure 3.3 Current channels for community council-community engagement

Community councils use a variety of methods to communicate with local people. Most of the participating Community Councils have a regular newsletter or bulletin, a community notice board and the local press as their main channels for informing the community. They tend to use word of mouth, telephone and letters as the media for ‘ascertaining’ the community’s views, with less frequent use of surveys.

The Community Councils’ also hold regular meetings and ad-hoc public events. Interest and participation in public meetings tends to be higher where issues are contentious and are thought likely to have a broad impact on the community. Some responses to our questionnaire stated attendance as low as 1 or 2 people, while others were in the region of 20 people or more.

However where public meetings are called in response to really contentious issues the attendance has been very substantial, for example in excess of 60 for Strathfillan Community Council (population circa 360 people). The general

consensus however is that public attendance is low and consequently this is not an effective method of gathering community views.

As an example of paper-based surveying, Strathfillan Community Council conducted a survey in 2004 to see whether people would want the Crianlarich station yard developed as a community centre/parent-child centre. The survey was hand delivered to those most likely to use the proposed facility including people aged 60+, people without cars and people with young children.

The response was lowest from parents and highest from the over 60s. Overall, 60% of the targeted population responded, which is relatively high but required considerable effort on behalf of the Community Council. The Community Council also arranged an open day to present the findings and work so far, but this had a very poor turnout.

The Association of Scottish Community Councils report from their most recent survey of members that:-

- “One in three Community Councils publish a newsletter
- A quarter have a website
- Almost all had carried out a survey or held a public meeting in the previous two years.
- Two thirds of Community Council meetings are not covered by the press.
- The average level of public attendance at meetings is 5 persons.
- Just over one in three Community Councils e-mail their minutes to others in the community.”²⁰

Online methods are clearly being taken up by Community Councils in an effort to use limited resources more efficiently and improve communications with the public. This appears to be restricted to information provision, as the survey gives no examples of online *interaction* with the community.

3.2 Engaging with Local Government

Community councils spend much of their time engaging with their local council and national governments. This is most frequently through attendance at meetings, and through formal written responses to consultations, comments and objections to planning applications.

Community Council meetings are regularly attended by a local authority officer or councillor. The ASCC survey of Community Councils reports that “elected local authority councillors attend the meetings in the great majority of cases

²⁰ Association of Scottish Community Councils, 2005

(90%)...61% of community councils are satisfied or very satisfied with their working relationship with their local authority councillors”.

Along side this there are ad hoc communications regarding local issues, through letter or telephone conversations, and increasingly through e-mail. Local authorities typically have departments that handle correspondence with Community Councils, monitored by a council committee or sub-committee with responsibility for community consultation. Community councils also communicate directly with other elected representatives, i.e. Members of the Scottish Parliament and Members of Parliament, sometimes as frequently as once a week.

As mentioned in the Introduction to this report, the Local Government (Scotland) Act 2003 has given added impetus to existing local authority efforts to engage the public in policy-making and service improvement. These efforts stem in large part from earlier legislation, particularly the Local Government (Scotland) Act 1994, which called on local authorities to decentralise decision-making, and led to the establishment of area or neighbourhood committees or forums.

Local authority community engagement is well exemplified by Stirling Councils' promotion of 'Local Democracy and Community Leadership', which has been one of its four strategic aims since 1996. Stirling Council's community engagement strategy acknowledges an important role for Community Councils in 'community planning'²¹. The ASCC describes community planning as: -

“...a process where a local authority and other organisations come together to plan, provide for and promote the wellbeing of their communities. It should promote the involvement of communities in the decisions on local services which affect people's lives including health, education, transport, the economy, safety and the environment.”²²

These changes in the statutory environment have been accompanied by an increasing range of local authority-led bodies that, in effect, compete with Community Councils to represent community opinion to the local authority. In the case of the Stirling area Community Councils, the Council's strategy document includes:-

- Stirling Community Planning Partnership: an umbrella group which we return to in the next section.
- Area Community Planning Forums: whose remit includes “provision of an opportunity for two-way communication between local organisations/people and our Council/other public bodies on issues of local concern”²³.

²¹ Stirling Council (2004) 'Community Governance Strategy for the Stirling Area 2004-2008'

²² Association of Scottish Community Councils (2005) 'Guidance for Community Council Involvement in Community Planning'

²³ Stirling Council (op.cit.) p.23

- Stirling Assembly: described as “an open forum which allows the people of the Stirling area to debate the major issues that affect their daily lives”²⁴ the Assembly meets several times annually, and brings together various statutory and voluntary organisations including Community Council delegates.

The growing number of bodies that Community Council members may choose (or be called on) to articulate local community views increases the pressure on them to manage their time effectively, and coordinate their responses based on whatever input they have been able to glean from the community.

Stirling Council also actively promotes the use of online methods (other than through support for the e-Community Council Project), committing for example to provide web access to any consultation database developed by the Council.

Most though not all local authority consultation documents are available in electronic form, as are those from the Scottish Executive.

More generally, Goodlad et al’s review of council policy statements on community consultation found three categories of local authority: -

- i. A small number... that give community councils a distinctive role in their decentralisation schemes or community consultation policy;
- ii. A large number... who acknowledge a positive role for community councils but stress this is the same as the role given to other community or voluntary groups;
- iii. A very small number... that appear to want to bypass community councils in favour of other forms of consultation or involvement,

The latter ‘other forms of consultation or involvement’ include research-based approaches to gathering the views of individual citizens, such as citizens panel surveys and focus groups. Thus Community Councils also face pressure to demonstrate the legitimacy and representativeness of the views they express, and therefore on the time and resources available to them for that purpose.

3.3 Engaging with other Public Bodies

The range of bodies that Community Councils are expected to respond to extends to all other national and local bodies involved in Community Planning. Although we have already mentioned Community Planning in section 3.2 above, we have not elaborated the range of organisations this entails. Figure 3.4 gives illustrates this and a simple example is shown in Figure 3.5.

²⁴ See <http://www.stirling.gov.uk/index/community/involvement/assembly.htm> (consulted July 2005)

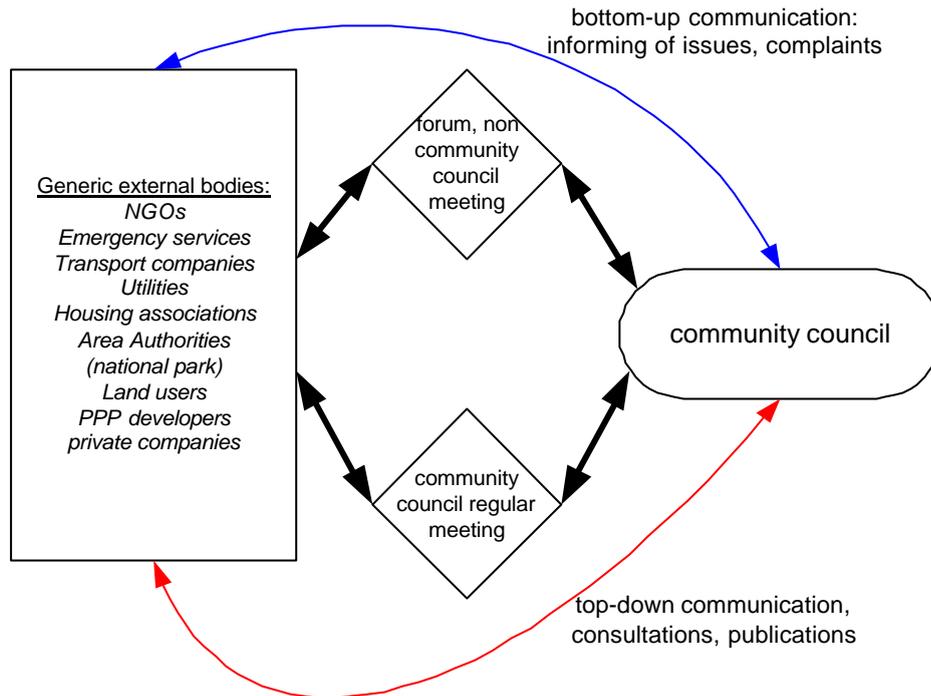


Figure 3.4 Engaging with non-government bodies

A non-exhaustive list of such organisations relevant to the participating Community Councils include: -

- *Other Community Councils:* Local community councils meet formally and informally through clusters, through the Association of Community Councils for the Stirling and Loch Lomond area, and through the Association of Scottish Community Councils
- *Health authorities:* Community Health Partnerships, Local Health Board, National Health Service
- *Housing Associations*
- *Education authorities:* Scottish Agricultural College
- *Environmental Agencies:* National Park Authority, Forestry Commission, Scottish Environmental Protection Agency, Scottish National Heritage
- *Transport companies*
- *Utilities :* Scottish Water, Scottish Water Consumer Panel, Power companies, Stirling Waste Forum
- *Uniformed services:* Police and Fire Authorities.

The Stirling Community Planning Partnership includes more than 50 local organisations. Many of these have it in their remit to consult the public and include Community Councils among their means of doing so.

Public bodies will also engage with the Community Councils on a more ad-hoc basis from time to time, usually on a specific issue. For example most receive a regular report from their local community police officer, either presented in person or given to the council in some format that allows a councillor, such as the secretary to present it. Representatives from other voluntary community bodies may also attend community council meetings.

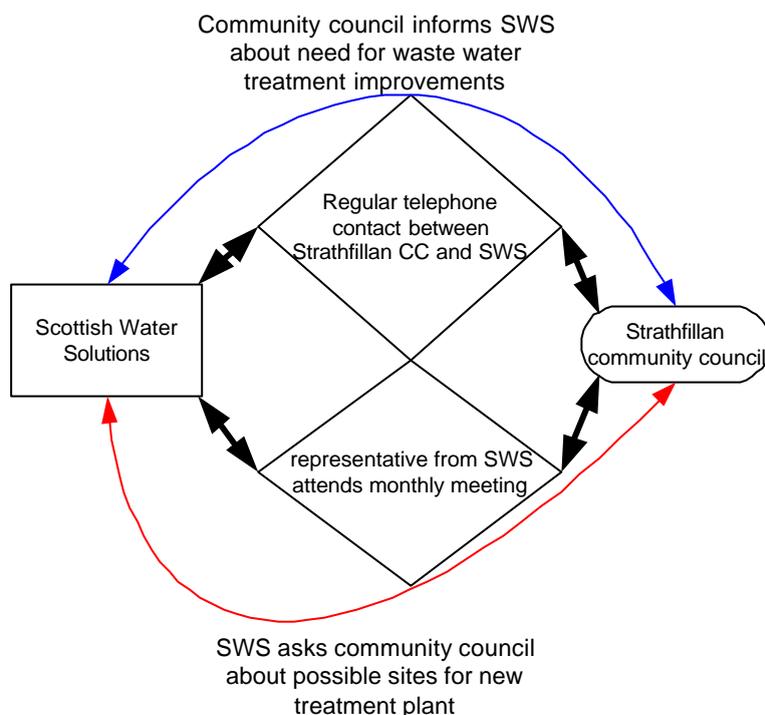


Figure 3.5 Example: Stathfillan Community Council and Scottish Water Solutions

The main implication to be drawn from the extent of Community Council engagement with other public bodies is the potential for using online methods to pool resources, in the long term increasing the coordination of consultation among local clusters of Community Councils. In the shorter term the most pressing need is for improved access to information on meetings, since these are the main current method for that coordination to happen.

4 Effective e-Community Council Tools

In this section we consider what e-Community Council tools should do to support the various roles we have reviewed, and how we may judge whether that support is effective.

The first section 4.1 outlines the broad functions envisaged for the e-Community Council tools. These are further detailed in another report from the project; *D1 e-Community Council User Requirements*.

The next section 4.2 describes criteria for evaluating the e-Community Council tools and the use made of these in the forthcoming pilot period (September-December 2005). It starts by considering how the effectiveness of Community Councils is judged more generally, and then lists criteria and indicators agreed in July 2005 among participating Community Councils.

4.1 The e-Community Council Capabilities

4.1.1 Support for Coordination of Consultation Responses

The participating Community Councils agree that the workload associated with consultations and planning applications is considerable and problematic. Indeed it is seen as creating a barrier to effectively conveying the views of the community back to the local authority. The problem is partly a result of the volume of paper work involved in 'filtering' incoming consultations for those that are deemed to be of most local relevance, and responding to them; and partly a problem of the number of consultations and timescales involved.

While the toolkit cannot address the issue of the volumes of paper produced by external bodies and the frequency of consultation demands, it can support the management of consultations and support the community council to respond to them more effectively.

The toolkit will therefore provide a simple means for Community Councillors to coordinate their response to external consultation documents, by providing functions to do the following between formal meetings of the Community Council:-

- Publish details of new consultations received, optionally appending any relevant electronic documents and their own summary text.
- Commit to respond to a newly published consultation, and indicate that to other Community Council members.
- Exchange 'private' comments with other Community Councillors, on what the Community Council response should be.

4.1.2 Support for the gathering of community views

Ideas, initiatives and complaints raised by the community are communicated sporadically to the Community Council by word of mouth, telephone and letters, with e-mail being used to a lesser extent in some councils. Most of the Community Councillors involved in this project agree that additional means of keeping in touch with the community would be beneficial. Response rates to paper-based surveys are typically low, as is turn out at public meetings. Community Councils may not have dedicated office space (although some do), so members rely on their personal resources for written or telephone communication.

A known constraint on the community's participation in Community Council work is the time commitment needed to attend public meetings. Also many community members may be unable or unwilling to make the effort to find out how to contact their Community Councillors.

The e-Community Council tools therefore need to provide a simple means for Community Councillors to identify current topics of interest and ask questions in relation to them, and for the public to raise matters of interest or concern. This is in keeping with the characteristics of weblog tools, as described in the Introduction to this report. The e-Community Council toolkit should add to these by enabling both: -

- Open and pre-structured questions and responses
- Public and private communication

Many online surveying packages of various degree of sophistication are available, and it would not be appropriate to develop tools similar to those that are commercially available to Community Councils at lower cost. However to be used effectively, such packages typically require specialist knowledge of survey methods. A more general need of the e-Community Council toolkit is for Community Councillors to easily integrate pre-structured questions into their online communication with constituents, to limit the effort needed to respond, and to analyse those responses.

Members of the public will expect any questionnaire-type responses they give to be treated in confidence, in so far as they are identifiable as individuals from them. On the other hand, they should also be given the option to take part in public discussion, through posting comments on items written by Community Councillors or writing such items themselves.

4.1.3 Support information dissemination and communication links

Providing mechanisms to raise awareness of community council's activities and "success stories" about their achievements is one way to improve communications with the community. Typically, publicity for such achievements is limited by the effort required to produce and distribute print-based

newsletters, and in general the participating Community Councils feel that this effort yields very limited results in terms of a response from their communities..

The e-Community Council toolkit will therefore complement the role of a newsletter and noticeboard by:-

- Providing Community Councillors with a simple means to maintain a public diary of meetings and other events.
- Providing members of the public with a simple means to keep informed of meetings and events, and to comment on them.

Lobbying and effective contact with the local authority, national government and other organisations is a vital function of the community council. In the previous section we described the large number of bodies that interact with the community council. The toolkit should provide contact details for such organisations. This is often reliant on contacts known to individual councillors.

The e-Community Council toolkit will therefore provide a simple means for: -

- Community Council members to share contact information (a) with each other, and (b) with the public.
- Members of the public to be informed about and optionally make contact with the organisations and individuals their Community Council regards as significant.

4.2 Evaluating Effectiveness

4.2.1 Evaluating Community Council Effectiveness

It is not the aim of the project to evaluate how effectively the participating Community Councils perform their role. However it is an important part of the project to evaluate how well an e-Community Council toolkit supports that role. There is an inevitable overlap between the two and so it is relevant to consider how others judge Community Councils.

The most recent relevant research is the 1999 report by Goodlad et al, referred to previously²⁵, which is concerned with the effectiveness of Community Councils in terms of their consultative role in broad terms of : -

²⁵ Goodlad, R., Flint, J., Kearns, A., Keogghan, M., Paddison, R. and Raco, M. (1999) *The Role and Effectiveness of Community Councils with Regard to Community Consultation* The Scottish Office Central Research Unit, Edinburgh

- i. Representativeness of Community Councillors according to demographic characteristics of the areas they represent;
- ii. Community Council awareness of local views and their ability to transmit them to local authorities and other public bodies;
- iii. The willingness of local authorities and other public bodies to listen to Community Councils.

The first of these criteria does not *directly* concern us. The Goodlad report and the more recent ASCC survey of Scottish Community Councils indicate that community councillors are representative in gender terms, but less so in terms of age profile (their average age being in the mid 50's). It is to be hoped that a consequence of using e-Community Council tools may be greater participation by people who would not otherwise get involved, with the indirect effect of a more representative membership. However if that happens it is unlikely to be within a 3 month pilot period.

The second and third of the criteria above are the main focus of our attention in the next section.

4.2.2 Evaluating e-Community Council Effectiveness

E-democracy evaluation is still an emerging field as we noted in the Introduction. However the authors have previously argued²⁶ for multiple methods to be used, with criteria and indicators developed in partnership with those responsible for engaging with the community. We have applied this approach in various e-democracy projects with local government²⁷, and have begun to adapt it to the current project.

In July 2005 ITC researchers and a working group of Community Councillors met to agree evaluation criteria and, for each of these, various types of indicators based on the evidence that the evaluation will gather from September 2005. This evidence will be collected using the following methods:-

1. Field tests- observations of members of the public and Community Councillors, invited to carry out the tasks that the tools should support. The observations will be analysed to pinpoint any difficulties experienced by the participants.
2. Interviews with Councillors and members of the public in each Community Council area, following on from the field tests..
3. Online & Paper questionnaires, via print newsletters or by mail.

²⁶ Whyte, A. and Macintosh, A. (2003) 'Analysis and Evaluation of e-Consultations'. e-Service Journal 2, 2003

²⁷ Most recently: Whyte, A., Renton, A. and Macintosh, A. (2005) 'eDemocracy from the Top Down: An Evaluation of eDemocracy Activities Initiated by Councils and Government' Bristol City Council

4. Web server logs and database. Server log analysis will provide evidence of the relative usage of the various elements of the e-Community Council pages. This will be supplemented by analysis of the responses made, for example to structured questions, or open comments on Items posted by Councillors or members of the public.
5. Desk research, i.e. to collate and analyse existing documentary evidence

The evaluation will provide various *types* of evidence, related to each of the above methods as follows:-

a. <i>Expectations</i> : what impact do councillors and the public expect the e-Community Council to have?	1,2,3,5
b. <i>Actions</i> : what do councillors and the public do with the e-Community Council tools?	1,4
c. <i>Reflections</i> : having used the e-Community Council, do people think it meets the intended aims? Does it or will it have other consequences?	1,2,3,5

The *criteria* that have been agreed are:-

1. Community Councillor take-up of the e-Community Council tools.
2. The impact of Community Councillor take-up on the Community Councils' activities
3. Public awareness and take-up of the e-Community Council
4. The impact of public take-up on Community Council activities
5. Sustainability of the e-Community Council

Taking each of these in turn, various indicators have been agreed as follows below. The next stage in the evaluation will be to agree appropriate measures for each of the indicators, wherever it is feasible and appropriate to do so.

1. Community Councillor take-up of the e-Community Council tools.
 - a. *Expectations*: Minutes of all participating Community Councils show each has made a commitment to use the e-Community Council tools for the pilot period.

This indicator takes account of the voluntary and democratic nature of Community Councils. Uniform support is by no means a foregone conclusion, given the concerns some have about the potential for excluding Councillors who lack computing skills and/or Internet access. The evaluation results should document these concerns and show how the participating Community Councils vary- both in their circumstances and their experiences with the system.

- b. *Actions:* By the end of the pilot period, each e-Community Council site is being used at least monthly by at least 3 members for 'private' communication.

It is important to note that results on this indicator will only be partly under the control of Community Councillors, since the levels of activity depend on the level of relevant consultations and planning proposals received from external public bodies. The evaluation should document working practices to show how such constraints operate, and make clear what the consulting bodies can do to help.

- c. *Reflections:* In each Community Council, by the end of the pilot period a majority of members who have used their e-Community Council are satisfied that it helps them with their Community Council work.

2. Councillor take-up has a positive impact on Community Council activities

- a. *Expectations:* In each participating Community Council, a majority of members who have used their e-Community Council say they would use it regularly to complement their normal methods of communication.

The results for this indicator should also describe the extent to which the e-Community Council is being used relative to other methods, and for what purposes (e.g. to provide access to Minutes.)

- b. *Actions:* Community Councillors get better and faster access to documents and are better informed when attending meetings as a result of using the e-Community Council

It should be feasible to measure any improvement in access to documents in terms of *the number of Councillors downloading documents*. Since normal practice is for Secretaries to distribute the relevant documents at Community Council meetings, any access between meetings will be a measurable improvement.

More consideration is needed of how to define whether members are 'better informed' in terms of their observed interactions at meetings, as opposed to asking them to reflect on whether and how they were better informed (see below).

- c. *Reflections:* In each participating Community Council, a majority of members rate the e-Community Council positively in terms of ease of learning, ease of use, and impact on the Community Council's productivity.

The tools should benefit productivity in terms of more focussed meetings, as a result of using the e-Community Council between

meetings. However this could add to the effort needed and especially from the Secretary. Measuring changes in productivity will not be feasible, but members will be asked to rate the impact on it. They will also be asked to describe any significant changes to their working practices.

3. Reasonable levels of public awareness and take-up

- a. *Expectations:* A majority of residents stating an interest in being involved in decisions affecting their area are aware of their e-Community Council website.

The three month duration of the pilot period is too short to raise awareness and then measure it meaningfully. People may recall having recently received publicity without necessarily according it any importance or having any intention to make use of the system. Also we should place more emphasis on evaluating the effectiveness of the tools than the Community Councils' publicity capabilities.

There is however a clear need for evidence that communities are aware of the development. Given the currently very low level of awareness and participation it would be unrealistic to expect a majority of all local households to be aware, even if every resident regularly used the Internet. It is more realistic, we argue, to expect most of those residents who are interested in public decision-making to be aware of the e-Community Council.

- b. *Actions:* By the end of the pilot period the e-Community Council usage is growing in terms of levels of access and active contribution:-
- i. The monthly number of 'unique visitors' to each e-CC is comparable to relevant pages on the local authority site (after a similar post-launch period).
 - ii. More comments/ responses are received via the e-CC than by other *written* method.

A realistic comparison should be possible with the traffic received by Stirling and North Lanarkshire Council's sites, in particular the pages dealing with Community Councils and Planning. The comparison should factor in the differences in size of the target population.

- c. *Reflections:* In each participating Community Council, a majority of the evaluation participants rate the e-Community Council positively in terms of
- i. ease of learning and use;
 - ii. understanding how the Community Council represents local views;

- iii. helping a wider range of local people to express their views to the Community Council.

These are 'satisfaction indicators' that will allow us to assess the public's opinion of the e- Community Council. However the impact of their use of the tools on the Community Council's work should be assessed separately (see below), since there may for example be issues about the Community Council's ability to respond to the public, however positive or negative their views may be.

4. Public take-up has a positive impact on Community Council activities

- a. *Expectations*: By the end of the pilot period a majority of those who have used the e- Community Council expect it to enable their Community Council to better represent the views of the community.
- b. *Actions*: By the end of the pilot period an increase in public involvement should be demonstrated by an upward trend in: -
 - i. the number of consultations responses that members of the public have contributed to;
 - ii. the number of items received on other matters of local concern.
- c. *Reflections*: In each participating Community Council, a majority of members rate the e- Community Council positively in terms of: -
 - i. The range of people who have expressed a view using it
 - ii. The usefulness of the public responses made using it.

5. Sustainability of the e-Community Council

- a. *Expectations*: interest is expressed in use of e-Community Council tools by other Community Councils and community bodies.
- b. *Actions*: The e- Community Council capabilities have been demonstrated to other Community Councils and community bodies.
- c. *Reflections*: Other Community Councils and community bodies are actively seeking to deploy the e- Community Council tools.

The project will include a range of 'dissemination' activities, including demonstrations to relevant public organisations, and the local business communities where appropriate. Rather than define targets in terms of numbers of events it will more relevant to describe their nature, and what the response implies for the future of e-democracy in community governance.

Appendix 1

Local Government (Scotland) Act 1973

51. - (1) Every local authority shall, before 16th May 1976, or such later date as may be agreed by the Secretary of State, submit to the Secretary of State, in accordance with the provisions of this Part of this Act, a scheme for the establishment of community councils for their area.

(2) In addition to any other purpose which a community council may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to such matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable.

51. - (3) Repealed.

52. - (1) Every local authority shall give public notice of their intention to frame a scheme for the establishment of community councils, and any such notice shall invite the public, within a period of not less than eight weeks from the date of the notice, to make suggestions as to the areas and composition of the community councils.

(2) After considering suggestions made under subsection (1) above, the local authority shall prepare and give public notice of a draft scheme which shall contain -

(a) a map showing the boundaries of the proposed areas of community councils and their populations, and the boundaries of any area for which the local authority consider a community council to be unnecessary;

(b) where a local authority consider that a community council is unnecessary for any area, a statement of their reasons for arriving at this conclusion;

(c) provisions relating to qualifications of electors, elections or other voting arrangements, composition, meetings, financing and accounts of community councils;

(d) provisions concerning the procedures to be adopted by which the community councils on the one hand and the local and public authorities with responsibilities in the areas of the community councils on the other will keep each other informed on matters of mutual interest; and

(e) such other information as, in the opinion of the local authority, would help the public to make a reasonable appraisal of the scheme.

(3) The notice mentioned in subsection (2) above shall invite the public, within a period of not less than eight weeks from the date of the notice, to make to the local authority representations as respects the draft scheme.

(4) 2 After considering any representations made under subsection (3) above, the local authority may amend the draft scheme to take account of those representations and shall submit the scheme to the Secretary of State for his approval along with any outstanding representations and their comments upon them.

(5) 3 The Secretary of State, after holding, if he thinks fit, a local inquiry in relation to the whole scheme or any part thereof, may approve, with or without modifications, a scheme submitted to him under subsection (4) above, or may refer the scheme back, in whole or in part, for further consideration by the local authority concerned.

(6) After the Secretary of State 4 has approved a scheme, the local authority shall give public notice of the scheme in its approved form together with public notice of such a scheme as it applies to each proposed area, by exhibition in that area, and any such notice shall contain an invitation to electors in the area concerned to apply in writing to the local authority for the establishment of a community council in accordance with the scheme.

(7) Where not less than 20 electors apply as mentioned in subsection (6) above, the local authority shall, within not more than six weeks from the date of the application, organise, in accordance with the scheme, elections or other voting arrangements for the purpose of establishing the community council.

53. - (1) Having regard to changing circumstances and to any representations made to them, every local authority shall from time to time review schemes made and approved under section 52 of this Act and, where they consider that such a scheme ought to be amended, they shall give public notice of their proposals, inviting any community council concerned and the public to make to the local authority representations as respects the proposals.

(2) 5 The local authority shall consider any representations made under subsection (1) above and may amend the scheme in accordance with -

(a) the notified proposals; or

(b) those proposals as amended to take account of any such representations.

Provided that the scheme shall not be amended under paragraph (b) of this subsection unless public notice of the amendments to the proposals has been given with a further invitation to make representations under subsection (1) above.

(3) A decision of the local authority -

(a) to review, under subsection (1) above; or

(b) to amend, under subsection (2) above,

A scheme shall be by resolution passed by not less than two-thirds of the members voting thereon at a local authority meeting specially convened for the purpose with notice of the object.

54. Repealed.

55. 6 Councils for local government areas may make such contributions as they think fit towards the expenses of community councils within their areas, may make loans to those councils and may, at the request of such community councils, provide them with staff, services, accommodation, furniture, vehicles and equipment, on such terms as to payment or otherwise as may be agreed between the councils concerned.

Local Government (Scotland) Act 1994

22. - (1) Subject to subsection (2) below, schemes for the establishment of community councils made and approved under section 52 of the 1973 Act, including any such schemes as amended by section 53 of that Act, which are effective immediately before 1st April 1996 shall continue to have effect in respect of that area, or part of an area, to which they apply on and after that date.

(2) Without prejudice to their duty under section 53 of the 1973 Act, on and after 1st April 1996, a local authority may revoke a scheme (or an amended scheme) such as is mentioned in subsection (1) above in so far as it relates to their area and make a new scheme in accordance with this section.

(3) Where a local authority propose to make a new scheme such as is mentioned in subsection (2) above -

(a) they shall give public notice of their intention to revoke the existing scheme and make a new scheme for the establishment of community councils, and any such notice shall invite the public, within a period of not less than eight weeks from the date of the notice, to make suggestions as to the areas and composition of the community councils;

(b) after considering suggestions made under paragraph (a) above, the local authority shall prepare and give public notice of a draft scheme which shall contain -

(i) a map showing the boundaries of the proposed areas of community councils and their populations, and the boundaries of any area for which the local authority concerned consider a community council to be unnecessary;

(ii) where a local authority consider that a community council is unnecessary for any area, a statement of their reasons for arriving at that conclusion;
(iii) provisions relating to the qualifications of electors, elections or other voting arrangements, composition, meetings, financing and accounts of community councils;

(iv) provisions concerning the procedures to be adopted by which the community councils on one hand and the local and public authorities with responsibilities in the areas of the community councils on the other will keep each other informed on matters of mutual interest; and

(v) such other information as, in the opinion of the local authority, will help the public to make a reasonable appraisal of the scheme;

(c) the notice mentioned in paragraph (b) above shall invite the public, within a period of not less than 8 weeks from the date of the notice, to make representations to the local authority as respects the draft scheme;

(d) after considering any representations made under paragraph (c) above, the local authority may, after giving public notice of the amendments to the proposals and a further invitation to make representations, amend the draft scheme to take account of those representations and adopt it;

(e) the local authority shall give public notice of the scheme in its adopted form together with public notice of such a scheme as it applies to each proposed area, by exhibition in that area, and any such notice shall contain an invitation to electors in the area concerned to apply in writing to the authority for the establishment of a community council in accordance with the scheme.

The Local Government in Scotland Act (2003)

The Local Government in Scotland Act (2003) places a duty on each Local Authority in Scotland 'to initiate and, having done so, to maintain and facilitate a process (in this Act, called "community planning") by which the public services provided in the area of the local authority are provided and the planning of that provision takes place'... In effect this Act is placing a duty on the local authority to facilitate the process for joining up all public services in an area to suit the needs of local people and businesses. This joining up applies to both planning what services are appropriate and to delivering those services that are appropriate for people in an area.

The Act also places duties on other public sector bodies (including the central administration – the Scottish Executive) to support local authorities in fulfilling this duty so the issue of knocking heads together to resolve local issues is firmly devolved to local level. The relationship includes engagement with (appropriate) non devolved central functions with a UK remit and local

presence. The Statutory Guidance²⁸ to the Act states at Sections 5& 6 that it is for the local authority in its facilitation role to ensure that they identify bodies operating in the local area and at Section 2.1 the guidance states ‘the Community Planning process should be open to all bodies and individuals who wish to participate’.

Community Councils are specifically addressed in the Statutory Guidance. The Statutory Guidance Section 5.1 states ... ‘local authorities in their initiation and facilitation of the Community Planning process should consult and cooperate with a wide range of interests including...Community Councils fulfilling their role as representatives of their local area’, and this same section also states that ‘The voluntary sector plays a key role in involving communities and excluded groups, particularly at the local level. Local authorities and other Community Planning partners should ensure their skills are fully utilised’ and that ‘Community bodies involved in the Community Planning process should operate in an open, democratic and accountable manner, and be clear about what interests they can or cannot represent’.

Those who wish to read more on Community Planning and Best Value in Scotland may refer to <http://www.communityplanning.org.uk>. This site focuses on Scotland; the legal requirements elsewhere in the UK differ slightly and are not addressed here.

²⁸ The Local Government in Scotland Act Community Planning: Statutory Guidance (Scottish Executive 2004) describes what the duty of Community Planning entails. Amongst the many requirements the Guidance states at Section 2.1 that ‘the local authority will be responsible for facilitating *the process*’... and ... ‘outcomes should reflect both the performance in the process of partnership working and outcomes for the partnership to performance in *service improvements*’.