

**MINUTE**  
**of**  
**EAST RENFREWSHIRE COUNCIL**

**Minute of special meeting held at 7.40pm in the Council Chamber, Council Headquarters, Giffnock on 26 April 2023.**

**Present:**

Councillor Andrew Anderson	Councillor David Macdonald (*)
Councillor Caroline Bamforth	Councillor Jim McLean
Councillor Tony Buchanan	Councillor Colm Merrick
Deputy Provost Kate Campbell	Provost Mary Montague
Councillor Angela Convery	Councillor Andrew Morrison
Councillor Betty Cunningham (*)	Councillor Owen O'Donnell (Leader)
Councillor Paul Edlin	Councillor Katie Pragnell
Councillor Annette Ireland	Councillor Gordon Wallace
Councillor Chris Lunday	

Provost Montague in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Caitriona McAuley, Director of Environment; Julie Murray, Chief Officer - Health and Social Care Partnership; Gerry Mahon, Chief Officer (Legal and Procurement); Graeme Smith, Communications Manager; Vincent McCulloch, Community Council Liaison Officer; Colin Sweeney, Democratic Services Manager; Linda Hutchison, Senior Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Danny Devlin.

(\*) indicates remote attendance.

**DECLARATIONS OF INTEREST**

**432.** There were no declarations of interest intimated.

**REVIEW OF COMMUNITY COUNCIL SCHEME OF ESTABLISHMENT**

**433.** Under reference to the Minute of the special meeting of 14 December 2022 (Page 353, Item 284 refers), when it had been agreed to open up the Community Council Scheme of Establishment for a limited review relating to the complaints procedure and Code of Conduct, and to note the process to be followed for that review, including the need for further meetings of the Council, the Council considered a report by the Director of Business Operations and

Partnerships seeking approval of the draft revised Community Council Scheme of Establishment and associated Community Councillor Complaints Procedure, copies of which were appended to the report.

Having commented on the outcome of initial consultation with Elected Members thus far, the report provided a commentary on the proposed amendments and related issues. The way forward, in order to comply with the statutory requirements in relation to the amendment of the Scheme, including on consultation with the public and community councils was summarised.

In response to questions, the Community Council Liaison Officer confirmed that the selection of Councillors to sit on Complaints Panels would be subject to the area a complaint came from, clarifying that it was preferable not to ask an Elected Member to be involved when the matter concerned a Community Council they attended regularly. Instead Elected Members serving in another Ward would be approached to determine who was free to participate. Referring to the Community Council Liaison Officer's role in determining if a complaint should be referred to a Panel, he clarified that this would be done in discussion and agreement with the Community Council concerned, experience having shown that some Community Councils preferred some matters to be determined by a Panel.

He also confirmed that any decision reached by a Complaints Panel would be the final one and conclude the Complaints Procedure. The Chief Officer (Legal and Procurement) confirmed that this would not preclude anyone who was unhappy with the outcome seeking a judicial review.

Referring to Section 2.29 of the Code of Conduct for Community Councillors which referred to various forms harassment could take, Councillor O'Donnell commented that following discussion with the Monitoring Officer, consideration was being given to proposing a change to the reference made to unwelcome emails to strengthen the wording and make it more explicit what was being referred to.

The Council:-

- (a) approved for consultation, the draft revised Community Council Scheme of Establishment and associated Community Councillor Complaints Procedure; and
- (b) noted that public consultation would now take place, the results of which would be reported back to a future special meeting of the Council.

PROVOST