

## MODEL CONSTITUTION FOR COMMUNITY COUNCILS

### 1. Name

The name of the COMMUNITY COUNCIL shall be KILSYTH (referred to as "the COMMUNITY COUNCIL" in this document).

### 2. Area of the Community Council

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the local authority's Scheme for Community Councils (referred to as "the Scheme" in this document).

### 3. Objectives

The objectives of the COMMUNITY COUNCIL shall be:

- 3.1. 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;
- 3.2. to express the views of the community to the local authority for the area to public authorities and other organisations;
- 3.3. to take such action in the interests of the community as appears to it to be desirable and practicable;
- 3.4. to promote the well-being of the community and to foster community spirit;
- 3.5. 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.

### 4. Role and Responsibilities

In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its membership shall have regard to their role and responsibilities as set out in the Scheme for Community Councils, approved by the local authority and the Community Councillors' Code of Conduct.

### 5. Membership

The COMMUNITY COUNCIL'S membership is as detailed in the Scheme; and as determined from time to time by North Lanarkshire Council.

### 6. Method of Election

Election procedures shall be governed by the method of election laid down in the Scheme.

### 7. Interim Vacancies on the Community Council

Where, following any election, an individual, for whatever reason, ceases to be a member and a vacancy arises which does not result in the number of COMMUNITY COUNCIL members falling below the minimum number as specified in the Scheme, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

- 7.1. A meeting being held in order that the vacancy (and any other outstanding vacancies) can be filled, on the basis that such vacancies would be publicised, nominations invited and an election held where the number of candidates exceeded the number of places available.
- 7.2. the filling of a vacancy by co-option with voting rights to a maximum of one third of the total membership of the COMMUNITY COUNCIL as detailed in the Scheme.
- 7.3. the vacancy to be left unfilled until a further vacancy arises or until the next set of regular elections.

## 8. **Voting Rights of Members of the Community Council**

- 8.1. The right to vote at any meeting of the COMMUNITY COUNCIL or any committee thereof, shall be held by all COMMUNITY COUNCIL members whether elected or co-opted, except for Associate Members co-opted for specific issues on a temporary basis, appointed to serve up to the date of the next ordinary election or by ex-officio members. With the exception of circumstances which may arise under the **Scheme for Community Councils – Community Council Elections [Co-option]**; and **Constitution – Alterations to the Constitution and Dissolution** whereby only elected Members may vote, all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.
- 8.2. In the event of a vote of the community council members that results in a majority not being met, in the first instance, there shall be a recount. If the recount also results in an equality of votes, the chairperson shall have a casting vote.

## 9. **Election of Office-Bearers**

- 9.1. At the first meeting of the COMMUNITY COUNCIL after elections in the year when elections are held and at the Annual General Meeting in the year when elections are not held, the COMMUNITY COUNCIL shall appoint a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide.
- 9.2. All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.
- 9.3. Without the express approval of the local authority, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary or Treasurer.

## 10. **Committees of the Community Council**

The COMMUNITY COUNCIL may appoint representatives to committees of the COMMUNITY COUNCIL and shall determine their composition, terms of reference, duration, duties and powers.

## 11. **Meetings of the Community Council**

- 11.1. The quorum for COMMUNITY COUNCIL meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- 11.2. Prior to the end of June each year the COMMUNITY COUNCIL shall convene an annual general meeting for the purpose of receiving and considering the annual report of the COMMUNITY COUNCIL, the appointment of office bearers, and the submission of the annual statement of accounts.

- 11.3. Including the annual general meeting, the COMMUNITY COUNCIL shall meet not less than 7 times throughout the year.
- 11.4. Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be fixed at the first meeting of the COMMUNITY COUNCIL following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 10 days public notice, either called by the Chairperson, or on the request of not less than one-half of the total number of COMMUNITY COUNCIL members.
- 11.5. Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL.
- 11.6. The COMMUNITY COUNCIL shall abide by its Standing Orders for the proper conduct of its meetings.
- 11.7. The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a common written request (petition), signed by at least 20 persons resident within the COMMUNITY COUNCIL area and on the current electoral register for the area, to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it in the manner prescribed locally for special meetings called by the COMMUNITY COUNCIL and hold the meeting within a further 14 days.
- 11.8. The COMMUNITY COUNCIL can meet to discuss matters in private where it considers it appropriate to do so. The decision to meet in private will be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way. However, the Notice will record that the meeting, or a part thereof, shall be held in private.

## 12. Public Participation in the Work of the Community Council

- 12.1. All meetings of the COMMUNITY COUNCIL and its committees shall be open to members of the public. Proper provision is to be made for the accommodation of members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chairperson.
- 12.2. Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area for a minimum period of seven days before the date of any such meeting, and, where possible, be advertised by other suitable means.

## 13. Information to the Local Authority

The local authority's liaison officer shall be sent an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting, minutes of all meetings, the annual report, the annual financial statement and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and the local authority.

## 14. Control of Finance

- 14.1. All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by the local authority and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by the local authority in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other

sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the COMMUNITY COUNCIL), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.

14.2. The treasurer shall undertake to utilise the Community Council Cashbook, to keep proper accounts of the finances of the COMMUNITY COUNCIL.

14.3. Any two of three authorised signatories, who must be office-bearers of the COMMUNITY COUNCIL, may sign cheques on behalf of the COMMUNITY COUNCIL. Authorised signatories may not be co-habitees.

15. **Title to Property**

Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices.

16. **Alterations to the Constitution**

16.1. Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a meeting of the COMMUNITY COUNCIL and the terms of the proposed resolution to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for Community Councils.

16.2. If the resolution is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL and is approved in writing by the local authority or its appointed officer, the alteration shall be deemed to have been duly authorised.

17. **Approval and adoption of the Constitution**

This Constitution was adopted by ..... KILSYTH .....  
COMMUNITY COUNCIL, on ..... 15 NOVEMBER 2017 .....

.....  
[Signature] ..... Signed: Chairman  
Mr. Macmillan ..... Member  
James Hutchings ..... Member  
..... Date

and was approved on behalf of North Lanarkshire Council on 29/11/17 .....

[Signature] ..... Signed:  
29/11/17 ..... Date