

CONSTITUTION 2017

AVON LOCAL COUNCILS' ASSOCIATION



DRAFT

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1. GENERAL

a) **Constituent Councils and Name**

The Association shall consist of Parish and Town Councils and Parish Meetings (Local Councils) in the Unitary Authority areas of Bath and North East Somerset, North Somerset, South Gloucestershire and Bristol, and shall be known as the Avon Local Councils' Association.

b) **Definitions**

The following definitions shall apply to all usage of the relevant term of words throughout this Constitution.

- "ALCA", is "the Avon Local Councils' Association".
- "NALC", is "the National Association of Local Councils", of which ALCA is a constituent member.
- "Local Council", means a Parish or Town Council and includes a Parish Meeting of a Parish not required to elect a Parish Council.
- "Member Council", includes any Local Council which at the end (1 April-31 May) of the current year has paid its subscription for that financial year. "Regional Committee" means the Representatives elected to represent all membership Local Councils across the West of England area and is responsible for the management and administration of ALCA.
- "UA Group" is an autonomous group within the area of administration of a Unitary Authority Council.
- "AGM", is the Annual General Meeting of ALCA.
- "SGM", is a Special General Meeting of ALCA.

c) **Objectives**

The aims and objectives of ALCA are to do all as may be necessary or desirable in the interest of the Member Councils, consistent with the objectives of NALC which are to:

- LISTEN
- INFORM
- CONSULT
- REPRESENT
- ADVISE
- TRAIN
- COMMUNICATE
- SUPPORT

2 MEMBERSHIP

a) Eligibility

Every Local Council within the Unitary Authority areas of Bath & North East Somerset, North Somerset, South Gloucestershire and Bristol shall be eligible for membership of ALCA and as members of ALCA will automatically be members of NALC.

b) Affiliation Fee

Each Member Council shall pay an Affiliation Fee to ALCA before 31st May for each financial year commencing on the 1st April. The fees shall be based on the number of electors of the Local Council as stated on the Register of Electors as of 1st January of the previous financial year.

The Affiliation Fee for the next financial year, on recommendation from the Regional Committee, shall be agreed by a majority present and eligible to vote at the AGM (or at an SGM) and thereafter the fee shall forthwith be advised to Member Councils by the Regional Committee

c) Contribution to the National Association

ALCA shall pay to NALC, in each financial year, a reasonable sum in a reasonable manner from time to time be fixed by NALC.

d) Resignation from Membership

Any Member Council wishing to terminate its membership of ALCA for the following membership year shall do so by sending its resignation in writing to ALCA by the 31st March in any year and the notice shall take effect on receipt.

Each such Member Council shall continue to be liable for the payment of its full fees for the current membership year in which the notice of resignation is sent.

3. REGIONAL COMMITTEE

a) Composition

There shall be a West of England Regional Committee elected at each AGM comprising:

- Four representatives of each of UA Area Group in the West of England, elected at their AGM from the members of that group by its membership, or subsequently co-opted, should a vacancy arise. Such Representatives need not be nominated by their own Local Councils. At least three of these Representatives must be Members of a Parish Council.
- In the event that a UA area is not covered by a UA Group, or cannot find a total of 4 representatives, then the Regional Committee may invite

representatives from Member Councils in the other UA areas to take up the vacant seats, at least three of whom must be Members of a Parish Council.

- Up to two additional non-voting members may be co-opted by the Regional Committee for their expertise;
- The Regional Committee can elect to appoint a Treasurer from its membership or as an Honorary position (ex officio).
- An Independent Examiner of Accounts shall be appointed by the membership at that AGM each year and he/she shall be a non-voting member of the Regional Committee, ex officio.

With the exception of the Honorary Treasurer and the two non-voting representatives selected for their expertise, only currently elected councillors or employed Clerks can be members of the Regional Committee.

The Regional Committee shall, at its first meeting each year after the AGMs of the UA Groups, appoint a Chairman and a Vice-Chairman, who shall be elected Councillors and elect its Representatives to the NALC National Council and any relevant external bodies

b) Functions

Subject to the provisions of this Constitution, the Regional Committee will provide for the conduct, management, control and administration of the affairs of ALCA. The Regional Committee may take such steps; incur such expenses; acquire and dispose of property; enter into such commitments or arrangements, and employ such persons and agents as it, at its absolute discretion, considers fit and suitable for carrying on the work of the Association.

The Regional Committee shall present an Annual Report and audited accounts to the AGM.

c) Procedures

Regional Committee members are not permitted to send a substitute to represent them at regional committee meetings

If the Chairman and the Vice-Chairman are absent, the Regional Committee shall elect a Chairman for that meeting from among their own number present

The Chief Officer shall give to each member of the Regional Committee not less than seven clear days' notice of a meeting the Regional Committee or of any Sub Committee specifying in such notice the business to be transacted

Those members of the Regional Committee in attendance will decide, if a quorum is not present, whether to hold or defer the meeting.

At all meetings of the Regional Committee every question may be determined by voice, but a question shall be determined by a show of hands if demanded at the meeting by an eligible voter, except in any case in which not less than one-third of the persons present and eligible to vote demand a ballot then the voting on the question shall be by ballot.

The Chairman at a meeting of the Regional Committee in addition to his/her being entitled to vote in the first instance, have a second or casting vote in the case of an equality of votes.

d) Annual General Meeting (AGM)

There shall be an AGM within fourteen months of the previous AGM, to be held as the Regional Committee shall direct;

Each Member Council and all Members of the Regional Committee:

(i) shall be given not less than eight clear weeks notice of the date, time and place of the AGM;

(ii) not less than 4 clear weeks in advance, will be sent an agenda for the AGM, the draft minutes of the previous AGM, a copy of the Annual Report and the Accounts for the preceding financial year.

Every Member Council shall be entitled to appoint, and be represented by, two persons at the AGM or SGM; the two persons at that date being either two Councillors or one Councillor and the Clerk to the Member Council

Additional Councillors and Clerks from Member Councils may attend the AGM or SGM but may not vote

In addition, the Honorary Treasurer and all members of the Regional Committee shall be entitled to attend, take part in and vote at the AGM (and SGM), but if attending in more than one capacity may only have one vote

Any matter to be raised at the AGM must be forwarded in writing to the Chief Officer at least six clear weeks before the date of the AGM;

Any other matters that are raised will be at the discretion of the Chairman of the AGM and will be for discussion only.

e) Special General Meetings (SGM)

An SGM may be called:

a) at any time by a simple resolution of the Regional Committee;

b) by the Chief Officer after receipt of a request in writing signed by not less than 15% of Member Councils and stating the reason for the request.

Not less than two clear weeks' notice of an SGM shall be given to each Member Council and to all persons entitled to attend. Such notice shall specify in detail the reasons for the SGM and the matters to be raised. No business other than that specified shall be conducted at an SGM.

f) Proceedings at an AGM (or SGM)

The quorum of an AGM (SGM) shall be thirty persons entitled to attend and vote.

If at an AGM (or SGM) no quorum is present, at the time appointed for the commencement of business, those present and eligible to vote at the meeting shall vote on whether or not the meeting should proceed.

Omission or failure to give notice of any AGM (SGM) or meeting of the Regional Committee, or any Sub Committee to any Member Council or any person entitled to receive same or the non-receipt of any notice as aforesaid for any reason shall not invalidate the proceedings of any such meeting, or as agreed below.

All relevant meetings will be notified to all Member Councils three times in advance of the meeting

g) Voting

The determination of questions at each AGM or SGM shall be as follows:

At all such meetings every question may be determined by voice but a question shall be determined by a show of hands if demanded, except in any case in which not less than one-third of the persons present and eligible to vote demand a ballot then the voting on the question shall be by ballot;

The Chairman at an AGM or SGM (or a meeting of the Regional Committee or Sub Committee) shall, in addition to his/her being entitled to vote in the first instance, have a second or casting vote in the case of an equality of votes.

h) Staff

The Regional Committee shall appoint a Chief Officer and such other officers and staff as the Regional Committee considers necessary for the proper administration of the affairs of the Association.

The Regional Committee shall determine such Contracts, Conditions of Employment and Job Specifications for the Chief Officer and staff as it thinks proper.

i) Expenses

The necessary travelling, subsistence and other incidental expenses of representatives or members attending meetings will be met wholly or partly from the funds of ALCA, as set out in its adopted Expenses Policy and if agreed by the Regional Committee

4 UNITARY AUTHORITY AREA GROUPS (UA GROUPS)

a) Membership

UA groups, whose areas are coincident with the boundaries of the Unitary Authorities listed in paragraph 1 a) shall be established. The membership of each UA Group shall include all Member Councils within the respective Unitary Authority Boundary. Each Member Council may appoint two voting representatives at UA Group Meetings, but if one of these representatives is to be the Clerk, then they are advised to seek formal delegation from their council to do so and to (or not) vote.

b) Procedures

Each UA Group shall arrange its own rules, business and procedures and shall elect a Chairman, a Vice Chairman at each AGM. Copies of the agenda for and the minutes of its meetings shall be forwarded to the Chief Officer for posting on the ALCA website.

The 4 Representatives of the UA Groups to sit on the Regional Committee shall be appointed by 30th June

c) Expenses

In general, the UA Groups will be responsible for all administrative and minor expenses relating to their meetings as agreed by the Regional Committee in its annual budget, including secretarial support, where relevant. ALCA will only meet properly documented costs.

d) Representation

Each UA Group shall appoint Representatives to the Regional Committee, members and officers as defined in paragraph 3 a) above.

5 AMENDMENTS TO THE CONSTITUTION

Any alteration to, amendment of, or addition to this Constitution may from time to time be made at any AGM (SGM) if approved by a majority of not less than two-thirds of the persons present and eligible to vote. No alteration, amendment or addition shall be made which is inconsistent with the Constitution for the time being in force for NALC.

Notice of any motion of such alteration, amendment or addition, other than a notice pursuant to a resolution of the Regional Committee, must be given in writing to the Chief Officer of ALCA not less than six weeks before the meeting. A copy of every such notice, including those given pursuant to a resolution of the Regional Committee, shall be sent by the Chief Officer to every Member Council and to each member of the Regional Committee at least 4 clear weeks before the AGM (SGM) at which it is to be considered.

6 DISSOLUTION

Member Councils may dissolve ALCA only by a resolution which has been passed by a two-thirds majority at an AGM (SGM) and subsequently ratified in a vote (electronic or postal) by a two thirds majority of the Member Councils returning the postal ballot form to the Chief Officer. Ballot forms shall be dispatched to Member Councils within 14 days of the resolution being approved at an AGM (SGM). A period of 60 days from the day of dispatch of ballot forms shall be allowed for their return to the Chief Officer.

If upon the dissolution of ALCA the proceeds recovered from the sale of such property by the Regional Committee, after the satisfaction firstly of all its debts and liabilities and secondly the refund of Membership subscriptions already received for a subscription year commencing after the date of dissolution, the same shall at the sole discretion of the Regional Committee be distributed among the Member Councils in proportion to the last subscription paid.

Chairman:

Date: