

Organisation Constitution of Lincolnshire Association of Local Councils

1.0 Constitution and Name

- 1.1 The name of the organisation is Lincolnshire Association of Local Councils ("LALC") and will be referred to as the "The Association" throughout this constitution.
- 1.2 The Association as a membership organisation will consist of Parish and Town Councils and Parish Meetings in the county of Lincolnshire.
- 1.3 The Association may accept membership from a Town Council, Parish Council or Parish Meeting from outside of Lincolnshire as an exception by agreement of The Association's Management Committee.

2.0 Location of principal office

- 2.1 Where LALC has a principal office, this must be based in Lincolnshire. The principal office is currently based in Dunholme.

3.0 Objectives

- 3.1 The aim and objectives of The Association are to take all such steps as may be necessary or desirable in the interests of Town and/or Parish Councils including but not limited to;
 - 3.1.1 Protecting and promoting the interests, rights, functions, and privileges of members.
 - 3.1.2 Assisting members in the performance of their duties and developing the social, cultural, recreational and environmental life of towns and villages in Lincolnshire.
 - 3.1.3 Promoting widespread and well-informed interest in local government.
 - 3.1.4 Supporting partnership working in the interests of Town and Parish Councils.

4.0 Membership

- 4.1 Every Town Council, Parish Council and Parish Meeting in the county of Lincolnshire shall be eligible for membership of The Association.

4.2 The Association may accept membership from a Town Council, Parish Council or Parish Meeting from outside of Lincolnshire as an exception by agreement of The Association's Management Committee.

5.0 Annual General Meeting

5.1 There shall be an Annual General Meeting (AGM) of The Association which shall be held at a date fixed by the Management Committee.

5.2 Every member Council shall be entitled to appoint and be represented by one person at the AGM.

5.3 The President, Vice President(s) and the Treasurer shall be ex-officio and non-voting members of the AGM, unless they represent their Council.

5.4 Should other Councillors and Officers from member Councils wish to attend the AGM they may do so, space permitting, but they may not vote.

5.5 The Chief Executive or nominated deputy shall give to each member council of the AGM and members of the Management Committee not less than 28 clear days' notice of the date, time and venue of the meeting and shall send with such notice a copy of the annual report and accounts of the preceding financial year.

5.6 A maximum of two motions per member Council will be considered at the AGM.

5.7 Motions may only be submitted from member Councils and not individuals.

5.8 Motions must be of relevance to all or the majority of members.

5.9 Motions must be in writing and received by the Chief Executive at least 60 clear days in advance of the AGM.

5.10 The Management Committee will determine whether a motion is compliant and in the event that more than two are received will determine those that will be submitted to the AGM.

5.11 The Council sponsoring an accepted motion may submit a paper to the Chief Executive in support of the motion for circulation with the AGM papers at least 28 days in advance of the AGM.

5.12 The Council shall also have the right to address members at the AGM on their motion for a maximum of 5 minutes. The motions will then be open under the normal rules of debate.

5.13 Any votes will be determined by a show of official ballots cards or an agreed process where this is not possible, and each member Council shall have one vote presented by a member present at the meeting.

- 5.14 The Association will allow the members to vote by post or electronic mail ("email") to elect members or to make a decision on any matter that is being decided at an AGM.
- 5.15 The AGM shall elect the membership of the Management Committee at its first meeting following the term elections, to serve for a four-year period, excluding the Chief Executive and Deputy/Assistant Chief Executive.
- 5.16 The President shall preside at the AGM but in his absence a Vice President shall preside at the AGM. Where the President and Vice President(s) are absent, the Chairman of The Association will preside at the AGM.
- 5.17 The quorum at the AGM shall be no less than one-tenth of the number of members entitled to attend.
- 5.18 If at a General Meeting no quorum is present within half an hour of the time appointed for the commencement of business, the meeting shall stand adjourned, to the same place, day, and time in the next week, when the quorum shall be five.
- 5.19 Should the venue not be available, the Chief Executive shall secure a suitable venue and notify this to all members at least three days prior to the meeting.

6.0 Extraordinary General Meeting (EGM)

- 6.1 An extraordinary general meetings (EGM) may be called at any time by the Management Committee with a majority vote stating the reason for the meeting.
- 6.2 For any EGM, not less than 14 clear days' notice shall be given to each member council of The Association and to every member of the management committee.
- 6.3 Such EGMs may also be called by the Chief Executive or Deputy/Assistant Chief Executive after the receipt of a requisition in writing signed by not less than ten member councils of The Association.

7.0 Election of Honorary Officers

- 7.1 The AGM shall elect the following honorary officers every four years and shall all respectively be eligible for re-election;
- President
 - Vice President
 - Treasurer

7.2 Nominations for the offices of President, Vice President and Treasurer shall be sent to the Chief Executive 60 clear days before the Annual General Meeting.

7.3 Casual vacancies in any of the said offices may be filled by the membership.

8.0 Association Elected Auditor

8.1 The management committee shall review and appoint an auditor annually and in line with The Association's financial regulations.

9.0 Management Committee

9.1 There shall be a Management Committee, whose members shall hold office for the election term and be eligible for re-appointment. The membership of the committee shall include;

- President
- Vice President
- Chair (councillor)
- Vice Chair (councillor)
- Treasurer
- Two Councillors
- Two Clerks are to be elected under paragraph 5.15

9.2 Subject to the provisions of this Constitution, the Management Committee may provide for the conduct, management, control and administration of the affairs of The Association and may take such steps, incur such expenses, acquire and dispose of such property, enter into such commitments or arrangements and employ such servants or agents as may be suitable for carrying the policies of the Association into effect.

9.3 The Management Committee shall control the banking and investment of the Association's funds.

9.4 No money shall be borrowed by or on behalf of The Association without the Management Committee's consent.

9.5 The Management Committee shall present an annual report and submit the audited accounts to the Annual General Meeting.

9.6 The Management Committee shall make available at least quarterly an operational and finance report on The Association's website for members to view.

9.7 The quorum at each Committee meeting shall be four members but must include as a minimum the Chair or Vice Chair and the Chief Executive or Assistant/Deputy Chief Executive.

- 9.8 It will meet as necessary and have delegated powers to deal with recruitment, staffing matters, day to day business and any urgent matters that must be determined.
- 9.9 A full report of any action taken by the Management Committee shall be presented to the next meeting of the Committee, and as far as possible recommendations will be tabled for the Committee to determine.
- 9.10 Membership of the Management Committee shall be open to either one councillor or one clerk from a member Council.
- 9.11 Membership of the Management Committee will be terminated immediately upon resignation or retirement of that person from the post of councillor or clerk, or the council ceasing to be a member of The Association.
- 9.12 Casual vacancies on the Management Committee may be filled by co-option by the Management Committee based on advert until the next AGM where election can take place.
- 9.13 The Management Committee shall elect a Chair and Vice Chair at its first meeting following the AGM.
- 9.14 The Chair and Vice Chair shall hold office for one year and shall respectively be eligible for re-election.
- 9.15 The Chair shall take the chair of the Management Committee whenever he is present.
- 9.16 The Vice Chair shall take the chair in the absence of the Chair.
- 9.17 If at any meeting the Chair and Vice Chair are absent, the Committee shall elect a chair for that meeting from among the members present.
- 9.18 A member of the Management Committee ceases to hold office if he or she:
- 9.18.1 is absent without the permission of the Management Committee from all their meetings held within a period of one year and the Management Committee resolve that his or her office be vacated.
- 9.18.2 dies;
- 9.18.3 becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.
- 9.18.4 is removed by a resolution of the Management Committee. The Management Committee may remove a member of the Management Committee under this clause 9.18.4, by a resolution being passed by a simple majority of the other members present and voting at a meeting of the Management Committee

provided that prior to such a meeting, the Management Committee member in question has been given written notice (of at least 7 clear days) of the intention to propose such a resolution at the meeting.

9.18.5 A Management Committee member shall be removed from office if a resolution to remove that member is proposed at a AGM as per section 5.9 or EGM, if the members of The Association called for that purpose and properly convened in accordance with section 6, and the resolution is passed by a two-thirds majority of votes cast at the meeting, whether in person or by proxy.

9.18.6 A resolution to remove a member in accordance with section 9.18.5 shall not take effect unless the individual concerned has been given at least 28 or 14 clear days' (depending on whether the resolution is proposed at an annual general meeting or general meeting) notice in writing that the resolution is to be proposed, specifying the circumstances alleged to justify removal from office, and has been given a reasonable opportunity of making oral and/or written representations to the members of The Association.

9.19 Subject to sufficient money being available for the purpose, the necessary travelling, subsistence and other incidental expenses of the representatives or members may be met wholly or partly from the funds of The Association for attending meetings;

9.19.1 of the NALC national assembly and other meetings convened by NALC thereof.

9.19.2 of The Association other than the AGM, of the Management Committee and of any sub-committees thereof

10. Sub-Committees

10.1 The Management Committee shall have power;

10.1.1 To appoint sub-committees which may include members of the Annual General Meeting and non-members of the Committee,

10.1.2 To make rules for the transaction of its business

10.1.3 To delegate any of its functions to such sub-committees.

10.1.4 A member of the Management Committee shall be ex-officio members of any sub-committee but may only vote if they are a serving councillor or officer of a member council.

10.1.5 A sub-committee may co-opt not more than 25% of its number from persons other than members of the Annual General Meeting.

11.0 Omission to give notice of meeting

11.1 The accidental omission or failure to give notice of any General Meeting or any meeting of the Management Committee, or of any sub-committee, to any member council or person entitled to receive the same or the non-receipt of any such notice as aforesaid shall not invalidate the proceedings at any such meeting.

12.0 Subscriptions

12.1 Each member council shall pay to The Association on or before 1st June in each financial year a subscription which shall be based upon such scale as may be determined by the Annual General Meeting.

12.2 For any Member Council that fails to pay their subscription by the 1st June each year that Member Council will be subject to a penalty charge of £25 per calendar month or part thereof.

12.3 For any Member Council that fails to pay before 30th September membership of The Association will automatically cease.

13.0 Contribution to the National Association of Local Councils

13.1 The Association shall pay to the National Association of Local Councils (NALC) on or before the last day of June in each financial year such sum as may from time to time be fixed by the National Association, unless The Association, by vote at the Annual General Meeting, declines to pay all or part of such sum.

14.0 Resignation from membership

14.1 Any member council wishing to terminate its membership of The Association may do so by sending its resignation in writing to the Chief Executive at least two calendar months before the 31st day of March in any year and the notice shall become effective on that day.

14.2 Each such council shall continue to be liable for the payment of its subscription up to and including the date on which a notice as aforesaid becomes effective.

15.0 Alterations to and review of the Constitution

15.1 Any alteration to, or amendment of, or addition to this Constitution may from time to time be made at any Annual General Meeting if approved by a majority of not less than two-thirds of the persons present and voting.

15.2 Notice of any motion for such alteration, amendment, or addition, other than a notice given pursuant to a resolution of the Management Committee, must be given in writing to the Chief Executive of The Association not less than one calendar month before the meeting.

- 15.3 A copy of every such notice, including those given pursuant to a resolution of the Management Committee, shall be sent by the Chief Executive or Deputy/Assistant Chief Executive to every member council of the Annual General Meeting, at least 28 clear days before the meeting at which it is to be considered.
- 15.3 A copy of the Constitution shall be supplied to each member council upon joining.
- 15.4 The Constitution shall be reviewed by the Management Committee every 3 years to ensure it remains fit for purpose.

16.0 Liability of members to contribute to the assets of the Association if it is wound up.

- 16.1 If the Association is wound up, the members of The Association have no liability to contribute to its assets and no personal responsibility for settling its debts and liabilities.