

ISLE OF ARRAN COMMUNITY COUNCIL

CONSTITUTION.

1. **Name:** The name of the Council shall be the Isle of Arran Community Council, herein referred to as 'the council'.
2. **Objectives:** The objectives of the council shall be:

'To ascertain, co-ordinate and express to the Local Authorities for it's area and to public authorities, the views of the community which it represents, in relation to 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' Community Councils may consult and represent the local community on specific issues and make known to the local authority and other public bodies the views of local people on all matters affecting them.
3. **Membership:**

To be a full member of the Community Council, you must have attained the age of 18. Live within the boundary of the Community Council in the Island of Arran. Proof of residency will usually be determined by checking that a person's name appears on the Electoral Register and verifying that their address lies within the boundary of the Community Council of Arran. Exceptionally, if a person's name does not appear on the Electoral Register, they may still be eligible for membership of Community Council if they can otherwise prove to the satisfaction of the local authority that they live within the boundary of the Arran Community Council.
4. **Council:**

The Council shall be composed of 12 elected Community Councillors as follows; one Elected Community Councillor shall represent the communities of Pirnmill, Corrie & Sannox, Kildonan & Kilmory and Lochranza & Catacol. - Shiskine & Machrie, Brodick, Lamlash, and Whiting Bay shall have 2 representatives. In the event of there being no nominations for any of the aforementioned districts, the elected community councillors are entitled, if they wish, to co-opt Community Councillors and additional community councillors to represent local organisations or groups of organisations within the unrepresentative community. Additional Community Councillors shall have no voting rights.

 - 4b Elected members of the Arran Community Council will be expected to attend a minimum of 60% of the 11 monthly meetings.

4c **Co-opted Community Councillors.**

Community Councils can fill any vacancies, which happen at any time, whether or not an election is due to be held. A Community Council can either decide to co-opt a volunteer to join the Community Council or, if there is a lot of interest in the vacancy from the local community, they can hold a by-election to fill the place(s). In either case, volunteers joining the Community Council as co-opted members must be aged 18 or over and must live in the area of the Community Council of Arran.

Co-opted Community Councillors appointment can be for 2 years or until the next ordinary election. Co-opted Councillors shall have the same voting rights as full members. Regardless of when they are appointed, they must retire at the time of the next ordinary election. Co-opted councillors can serve for more than one term. They can be co-opted again or stand for election as Elected Community Councillors.

4d **Additional Community Councillors.**

Community Councils can also co-opt a number of additional members over and above their membership up to a maximum number of 4. Additional Community Councillors do not have to be aged 18 and do not have to live in the area of the community council. However additional members cannot vote at meetings, cannot hold office and do not form part of the quorum of the meeting.

The reasons for having additional Community Councillors are varied, but they essentially fulfil an advisory function. Sometimes they are co-opted because they have a particular expertise or knowledge, which the Community Council would find useful. Sometimes they represent local groups or organisations whose views the Community Council is keen to obtain. They can also be people who are too young to be full members of the Community Council or who do not live within the boundary of Community Council, but who still have an interest in, or useful knowledge about the local area.

Additional Community Councillors can be appointed to contribute to a single issue, for a specific period of time or until the next ordinary election of the Community Council.

Additional Community Councillors can be appointed for up to 2 years, until the next ordinary election. Regardless of when they were appointed they must retire at the time of the ordinary election. They can serve for more than one term. They can be appointed as additional Community Councillors again or can be co-opted or elected as full members in the future, providing that they satisfy the necessary age and residency criteria.

5. Term of Office of Community Councillors:

Elected Community Councillors shall hold office as Community Councillors for a period of two years until the next ordinary election and shall then retire. All co-opted or additional members shall retire along with the elected members. All shall be eligible for re-election or re-co-option. The bi-annual elections will be held on even years, when the North Ayrshire Council shall organise an ordinary Election of Elected Community Councillors as follows: -

Timetable of elections:

5a The call for nominations of persons qualified in terms of paragraph 5 of the approved scheme for election as elected Community Councillors, to be submitted to the Chief Executive, North Ayrshire Council, Cunninghame House. Each nomination must contain the name, occupations and addresses of the person nominated and the names and addresses of the two sponsors, each of whom is a local government elector for the area. Each nomination must be signed by the person nominated and by each of the two proposers.

5b North Ayrshire Council will publish in the local press a notice giving the name, occupation and address of each person duly nominated and the names of his/her proposers and particulars of the place at which a Community Meeting of all electors in the area of the Council will be held. In the event of the number of persons duly nominated equalling the prescribed number of 12 elected Community Councillors the Community Council Chair shall declare the person (s) nominated duly elected.

5c At the Community Meeting, the Community Council Chair will take the Chair or a member of the Community Council nominated by him. The business of the meeting will be: -

1. Such discussion of the affairs of the Community Council as the Chair at their discretion, having regard to the time available, shall permit.
2. If the number of persons duly nominated exceeds the prescribed number of Elected Community Councillors, an election will be held in the village hall of the area concerned. The date and time to be advertised locally within the village/s requiring an election. To elect by secret ballot of all Electors present at the meeting the elected Community Councillors from the persons duly nominated or
3. If the number of persons duly nominated is less than the prescribed number of elected Community Councillors, to declare the persons nominated duly elected, to call for further nominations of electors from the meeting and to elect from the further nominations so received, by secret ballot of all electors present at the meeting, such other Councillors as may be necessary to bring the number of Elected Community Councillors to the prescribed number.

i. Maximum number 12 – 3 to form a quorum.

4. Rules for conduct of secret ballot.
Where this scheme provides for election by secret ballot, such ballot shall, as nearly as may be, be conducted in accordance with the rules annexed hereto.

6 Election of Community Council Officers other than Auditor.

At the first meeting of the newly formed Isle of Arran Community Council, the elected Community Councillors shall meet to elect from their own number:

1. A Community Council Chair.
2. A Vice Chair

3. A correspondence Secretary and planning Secretary or a combined post of any of the aforementioned. The elected Community Councillors may also appoint to the position of minute secretary, any member of the community who is not an elected member of the Community Council. This person will have no rights at any Community Council meeting other than to take a minute of the meeting. It will be that person's duty to write up an accurate and sufficient minute of all meetings and forward it to the Secretary of the Community Council for distribution as per section 10, sub-section '4' of the Constitution.
4. A Treasurer
5. Other officers to conduct such other business, as they deem necessary.

6b

Auditor

The Assistant Chief Executive Finance of North Ayrshire Council shall be ex officio Auditor of Arran Community Council and, as such, his duty shall be to ensure that the accounts of the Community Council are fully and accurately stated and properly vouched. For this purpose he shall be entitled to call for and inspect all financial records, vouchers and accounts at any time.

6c

Dissolution - In the event that

1. The number of casual vacancies occurring in the Community Council within one term of office exceeds one half of the elected Community Councillors or
2. The Arran Community Council fails to meet and/or to be quorate on four occasions each year.

The Community Council shall forthwith inform North Ayrshire Council who may allow or refuse to allow the Community Council to co-opt a further member or members or, notwithstanding the provisions of this scheme, issue such direction to the Community Council or take action as they deem appropriate.

If North Ayrshire Council should approve the dissolution of Arran Community Council, such funds as are vested in the Community Council at the date of the dissolution shall vest in the Council who shall apply the funds for the benefit of the inhabitants of the Community Council area, provided a preference shall in any event be given to the transfer of such funds to a successor Community Council established in accordance with the terms of this scheme.

Community Councils may, prior to formal dissolution, dispose of any assets purchased solely as a result of local fund raising schemes, subject to consultation with North Ayrshire Council.

7

Meetings:

1. An Annual General Meeting (AGM) will be held on the last Tuesday in September each year. The business will consist of-
 1. Minute of the last AGM
 2. Chair's report
 3. Approval of the accounts of the preceding financial year.
 4. In non-election years the appointment of Chair and Vice Chair, Secretary/ies and Treasurer.
2. The Council shall meet not less than four times per year and all meetings of the Council shall be open to the public and press but, save with the consent of the Council, no person other than an Elected Community Councillor shall be allowed to speak at the meeting and no person other than an elected Community Councillor, or an additional Community Councillor, shall be entitled to move any motion or amendment or to vote on any matter.

No business shall be transacted at a meeting of the Council unless at least one-fourth of the whole number of members of the Council is present. If, after the time appointed for a meeting of the Council, a quorum of members is not present, the Chair may adjourn the meeting.

8

Committees:

1. All Community Councillors shall contribute to, and be part of, the planning Committee.
2. In addition, the Council may at any time appoint a standing or special Committee for any purpose specified by the Council.

9

Chair:

1. The Community Council Chair shall preside at all meetings of the Council at which the Chair is present and at all Community Meetings (and the Chair shall ex officio be a member of all Committees of the Council). In the absence of the Chair, the Vice Chair shall preside, failing which the members present will elect by majority vote one of those present to take the chair.

The Chair will, usually in consultation with the other office bearers, determine what business will appear on the agenda for each meeting and how much time will be permitted for debate on any issue. The Chair may also, at their discretion, determine if an item of business that does not appear on the agenda should be considered as a matter of urgency. The Chair will be expected to preserve order during the course of the meeting and all debate should be addressed through the chair. If there are standing orders in place, the Chair will ensure that these are observed.

2. **Summary guidance for the Chair:**

- Set the agenda for meetings, including the late addition of urgent items.
 - Preside over meetings of the Community Council and preserve order.
 - Ensure compliance with the Constitution, the Community Council Scheme and any standing orders.
 - Ensure debates are conducted fairly and within a reasonable timeframe.
 - Take notes on motions, including the use of a casting vote, if necessary.
 - Ensure a record of agreed action is maintained including the responsible members name and date for completion.
 - Ensure the Community Council's decisions are informed by the views of the local community.
 - Liase effectively with the other office bearers.
 - Assume the role of returning officer for ordinary elections of the Community Council.
3. It is incumbent on the members of the Arran Community Council, through the chair, to conduct themselves in a courteous manner, with respect to all parties attending a Council Meeting.

Ex Officio Members:

Ex officio members of a community Council are the local elected members (i.e. North Ayrshire Councillors), Member(s) of Parliament (MPs) and member(s) of the Scottish Parliament (MSPs) (i.e. constituency MSPs) for the area covered by the Community Council. There may be more than one elected member, MP and MSP for each Community Council.

Ex Officio members do not count towards the quorum for any meeting, are not entitled to vote at Community Council meetings and cannot be appointed as office bearers on the Community Council. They are, however, entitled to attend and speak at all meetings and should receive a copy of Minutes and Agendas in the same way as any other member of the Community Council.

10. **Community Council Secretariat.**

The secretariat shall undertake the following duties, under the discretion and guidance of the Chair:

1. Make all necessary arrangements for meetings of the Council and Committees and for Community Meetings.
2. Prepare and timeously distribute to all Councillors, local North Ayrshire Council Councillors, press and other interested bodies as decided by the Council, in a manner to be prescribed by standing orders and summonses to all meetings.
3. Timeously give the public, in a manner to be prescribed by standing orders, notice of all meetings.
4. Send one copy of an accurate and sufficient Minute of all meetings to North Ayrshire Council and /or any other body as the Community Council sees fit.

5. Conduct and receive correspondence on behalf of the Council.
6. Be ex officio a member of all Committees of the Council.

11. **Community Council Treasurer.**

The Community Council Treasurer shall receive all monies due to the Council, meet all expenditure authorised by the Council, keep proper financial records (fully vouched) and prepare Annual Accounts for the approval of the Council and submission to the North Ayrshire Council in terms of paragraph 19 of the approved scheme.

12. **Amendment of Constitution.**

This Constitution may be amended at any time by the Council with the approval of the North Ayrshire Council (which approval is, in terms of the approved Scheme, not to be unreasonably withheld).

Adopted by Isle of Arran Community Council on 28th August 2012.

Chair John Inglis

Secretary Bill Calderwood..

Dated 28th August 2012.